



9 May 2024

TO ALL MEMBERS OF THE COUNCIL, you are hereby summoned to attend the Annual Meeting of Lymington & Pennington Town Council which will be held in the Council Chamber on **Wednesday 15 May 2024 at 6.00pm** to be held for the purpose of transacting the following business.

Please note that this meeting will be recorded.

Louise Young
CEO/Town Clerk

AGENDA

The Outgoing Mayor, Cllr Davies, will take the chair to open the meeting and for Item 1 on the Agenda.

1. Election of Mayor

The Mayor shall call for nominations for the position of Mayor. If more than one Councillor is nominated then a ballot will be held.

Nominations received. (To be confirmed.)

2. The Mayor will read out the Declaration of Acceptance of Office and will sign the declaration.

The Mayor will make a short speech.

3. Apologies for absence

To receive any apologies for absence

4. Declaration of Interest on any items on the agenda

To receive any declarations of interest on any items on the agenda.

5. Election of Deputy Mayor

The Mayor shall call for nominations for the position of Deputy Mayor. If more than one Councillor is nominated then a ballot will be held.

Nominations received. (To be confirmed.)

6. The Deputy Mayor will read out the Declaration of Acceptance of Office and will sign the declaration.

7. Minutes of previous Council Meeting held on 17 April 2024

To approve and sign as a correct record the Minutes of the previous Council Meeting.

8. Scheme of Delegation

To review

9. Membership & Terms of Reference of Standing Committees accountable to Council

To review

10. Nominations to Standing Committees

The Mayor shall call for nominations for members to serve on the following committees:

- Amenities Committee:
- Policy and Resources Committee
- Planning Committee

11. Nominations to Sub – Committees directly accountable to Council

The Mayor shall call for nominations for members to serve on the following sub-committees:

- Neighbourhood Plan
- Buckland Farm Access Fund

12. Asset Register

To consider report.

13. Financial Regulations

To consider report.

14. Treasury Management Policy

To review (no amendments recommended)

15. Standing Orders

To review (no amendments recommended)

16. Review of representation on or work with external bodies and of reporting back on previous year.

- To receive nominations for representatives to the various bodies.
- Councillors who have represented the Council on bodies may also wish to report on their year in office.

17. Review and confirmation of arrangements for insurance cover in respect of all insured risks.

To consider report

18. Complaints Procedure.

To review (no amendments recommended)

19. Data Protection Policy.

To review (no amendments recommended)

20. Policy for dealing with the press/media.

To review (no amendments recommended)

21. Publication Scheme

To review (no amendments recommended)

22. Determining the time and place of meetings of the council and its standing committees up to and including the next annual meeting of full council.

For approval.

23. Next Meeting of the Council

The next meeting of the Council will be held on Wednesday 19 June 2024 in the Council Chamber at 6pm

**MEMBERS OF THE PUBLIC ARE WELCOME TO ATTEND BUT PLEASE
NOTE THERE IS NO PUBLIC PARTICIPATION AT THIS MEETING**

Members: Cllr Jack Davies (Town Mayor), Cllr Colm McCarthy (Deputy Town Mayor), Cllr Thomas Brindley, Cllr Barry Dunning, Cllr Jacqui England, Cllr Sara Frost, Cllr Richard Gray, Cllr Martina Humber, Cllr Ted Jerrad, Cllr Jerry King, Cllr Iestyn Lewis, Cllr Ian Loveless, Cllr Simon Morgan, Cllr Alan Penson, Cllr Hannah Phillips



**Minutes of the Council Meeting
of Lymington & Pennington Town Council
held in the Council Chamber, Town Hall, Lymington
on 17 April 2024 at 10.30am**

PRESENT: **Councillors** Jack Davies (Mayor)
Colm McCarthy (Deputy Mayor)
Barry Dunning
Jacqui England
Simon Morgan
Richard Gray
Martina Humber
Ted Jearrad
Ian Loveless
Alan Penson
Jerry King

Officers Louise Young, CEO/Town Clerk
Lesley Way, Deputy Town Clerk

Also Present 3 Members of Public

125. Apologies for Absence

Received and approved from Cllr Brindley and Cllr Lewis and Cllr Phillips and Cllr Frost.

126. Declarations of Interest

None

127. Public Participation

None

128. Minutes of Council Meeting held on 21 February 2024

Resolved: That the minutes of the previous Council meeting held on 21 February 2024 be signed as a correct record.

Proposed by Cllr McCarthy, seconded by Cllr Loveless. 11 in favour, 3 abstained.

129. To receive verbal reports from Town Councillors

The Mayor reported that he attended:

24 March 2024 the Royal British Legion 100 Year Anniversary celebrations

27 March 2024 chaired the Neighbourhood Plan Steering Group.

30 March 2024 attended and judged the model railway exhibition at the Community Centre

13 April 2024 St Marks Church Spring Fair

The Mayor added that he had recently met with the Head of Priestlands School to discuss a recent uniform change. He also submitted a question to Full Council at New Forest District Council asking the portfolio holder to meet with Hampshire County Council regarding Solent Mead.

Cllr Gray reported he had attended an online Hurst Spit to Lymington briefing. He expressed his appreciation to the team for the briefing, which was very extensive, informative, and concerning for two reasons. Firstly, the consequences of doing nothing given the rising sea levels and how they would affect the Town over the course of the next few decades. Secondly potential costs of the schemes they have in place and the lack of clarity around who would pay for this.

Cllr Humber had also attended St Marks Spring Fair and reported that the Licensing Service for the new Priest-in-Charge, The Reverend Canon Michael Burson-Thomas, would be taking place on Wednesday 24 March at 7.30pm.

Cllr McCarthy had recently judged the Pennington Infant School Easter Bonnet Parade. He added that the Town Council's summer event, is called Woodside Picnic in the Park and will take place on 4 August 2024 at Woodside Park from 11am.

130. To receive a verbal report from the District Councillors

None.

131. To receive a verbal report from the County Councillor

Cllr Dunning gave an update on the Avenue Road crossing - HCC are developing the scheme and seeking funds. He also reported that the repairs to the damaged railings at bottom of High Street should take place before the holiday season starts.

132. Next Meeting

The next meeting of the Council will be the Annual Meeting held at 18:00pm on Wednesday, 15 May 2024.

133. Exclusion of Press & Public

To resolve that under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for the following items of business on the grounds that publicity would be prejudicial to the public interest for reasons of the confidential nature of the business to be transacted.

Proposed by Cllr McCarthy, seconded by Cllr Gray. All in favour.

Members of Press and public left the meeting.

134. CEO/Town Clerk Recruitment

Cllr Gray thanked the current CEO/Town Clerk for agreeing to stay on to cover a further 3 months.

Cllr Dunning thanked the Town Clerk and wished her well in her future career. Both statements were echoed by all Councillors.

Resolved:

- i. That Sue Bailey is appointed as the CEO/Town Clerk.

- ii. That the staffing subcommittee has delegated authority to agree terms of contract for the new appointment.

Proposed by Cllr McCarthy, seconded by Cllr Dunning. All in favour.

Cllr Dunning expressed the thanks to the Senior Projects, Events and Marketing Manager for her work over the last few years.

Meeting concluded at 10.55am.

Date: **Chairperson's Signature:**

DRAFT



Scheme of Delegation for the Amenities, Policy & Resources, Planning Standing Committees, Events, Buckland Farm & Market Sub Committees

To augment the existing Terms of Reference of the Amenities, Policy & Resources and Planning Standing Committees; and the Events, Market & Buckland Farm Access Fund Sub Committees. The Council delegates decisions to those committees and subcommittees under the following conditions:

- 1) Approval of Minutes as true and correct records of the relevant committee.
- 2) Financial decisions up to a maximum value of £25,000 where the budget is available as previously approved by the Council.
- 3) The Chair of Planning (or Deputy Chair) shall be also be delegated, in liaison with members of the Planning Committee, to revisit and if necessary, amend a previous recommendation of the Planning Committee should material circumstances change and this is made apparent by the District Council's Planning Case Officer.

Recommendation

That the above scheme is approved.

Louise Young
CEO/Town Clerk

MEMBERSHIP & TERMS OF REFERENCE OF COMMITTEES ACCOUNTABLE TO COUNCIL

PLANNING COMMITTEE

The Planning Committee shall consist of the Town Mayor, Deputy Town Mayor and up to seven members of the Council. Substitutes are allowed.

The aim of the Planning Committee shall be to express and encourage good planning in the Town.

To forward to the District Council, the Committee's comments in respect of all planning applications.

To inform the District Council the views of the Committee regarding the siting, design, materials and landscaping of buildings, the conservation and improvement of designated areas, the preservation of buildings of historic interest or architectural importance and of trees and areas of scenic or landscape value.

BUCKLAND FARM ACCESS FUND

The membership shall consist of the Town Mayor, Chairman of Policy & Resources, Planning, and Amenities Committees' and three members of the Council.

The remit is to advise Council on expenditure of the income arising from the granting of access rights over the land adjoining Alexandra Road and provide progress updates regarding the approved projects.

NEIGHBOURHOOD PLAN STEERING GROUP

The Neighbourhood Plan Steering Committee shall consist of the Town Mayor, Deputy Town Mayor, Chairman of Policy & Resources, Planning, and Amenities Committees' and three members of the Council.

The remit is to prepare a Neighbourhood Plan for Lymington & Pennington.

AMENITIES COMMITTEE

The Amenities Committee shall consist of the Town Mayor, Deputy Town Mayor and up to seven members of the Council. Substitutes are allowed.

To secure the highest quality of life for residents and visitors to the Town.

To encourage, support and, where there is a proved genuine need, to provide facilities for leisure, recreation and sport where it is established that these will not be provided by the County Council, District Council or jointly by the County Council, District Council and Town Council.

To ensure that properties, areas and all other amenities which are the responsibility of the Council are well managed and kept in good condition.

To ensure the safety of users and operatives of equipment, buildings, and all other amenities which are the Council's responsibility.

To be responsible for recommending to Policy & Resources Committee the Annual Estimates and Fees and Charges and to work within the budgeted estimates.

To be responsible for the following sub-committees:

- Playgrounds & Open Spaces
- Sea Water Baths
- Christmas & Events

POLICY & RESOURCES COMMITTEE

The Policy & Resources Committee shall consist of the Town Mayor, Deputy Town Mayor, the Chairman of the Amenities and Planning Committees, and up to six other members of the Council. Substitutes are allowed.

To give consideration to matters of major policy, including consideration of those recommendations of other committees, which are to be submitted to the Council where major matters of policy are concerned.

To ensure sufficient financial resources to fulfil the aims and functions of the Council.

To ensure that in every activity the council obtains proper value for money expended.

To ensure that all statutory provisions relating to the control of local government finance are fully complied with by all members and employees of the Council, and that any foreseeable method or opportunity of fraud, corruption or financial abuse is prevented and that the Council is just and fair in all its financial dealings.

To be responsible for the overall control of the Council's financial affairs, and to ensure sound accounting principles are maintained.

To receive during December from the Council's standing committees, their estimates of income and expenditure during the following year.

To recommend to Council each year the fees and charges for the services administered by the Authority.

To recommend to Council the amount of the Precept to be served on the District Council.

To ensure that the Council, its Members, officers and property are fully insured against liability, negligence, fraud, loss or damage.

To keep under review the acquisition, maintenance and disposal or determinations of all land, buildings and facilities owned or used by the Council to ensure their most effective use in the interests of the Council as a whole.

To be responsible for the following sub-committees:

- Grant Aid Panel
- Market
- Staffing

REVIEW OF REGISTER OF LAND AND ASSETS

Annual Council Meeting 15th May 2024

Introduction

1. A summarized version of the Council's register of land and assets is given below, for information and review by Councillors.
2. Professional valuations have been carried out for Council's buildings on a rolling basis. Approximately 70% of the insured value has been revalued in the past six years.

ASSET REGISTER SUMMARY 2022/23

CATEGORY OF ASSET	Insure Value	Book Val
	£	£
ROAD REGISTERED VEHICLES & PLANT	166,493	192,489
CHILDRENS' PLAY PARKS EQUIPMENT	515,713	313,381
COMMUNITY ASSETS eg War Memorial, Bandstand	726,769	505,781
BUILDINGS and OPEN SPACES	6,955,264	4,538,201
CIVIC REGALIA	109,090	58,300
PLANT & MACHINERY		
Mowers & similar machinery	410,890	228,430
I.T. EQUIPMENT	31,004	22,358
OFFICE EQUIPMENT	34,463	18,761
GOAL POSTS & NETS	6,448	6,715
CHRISTMAS LIGHTS	58,550	41,703
CCTV	13,112	17,266
TOTALS	<u>9,027,796</u>	<u>5,943,385</u>

Recommendation

It is recommended that:

1. Council's register of land and assets is noted.

L Young CEO/Town Clerk

FINANCIAL REGULATIONS

Report to Council: 15th May 2024

1.0 INTRODUCTION

- 1.1 The Council has previously adopted the National Association of Local Councils (NALC) Financial Regulations.
- 1.2 NALC has produced an updated version of the Financial Regulations, this was emailed to this Council on May 8th 2024 by Hampshire Association of Local Councils (HALC) to enable Council's to consider adopting the new regulations.

2.0 DISCUSSION

- 2.1 The overhauled financial regulations have reworded and modernised many aspects of the previous regulations, however, they are written broadly to cover very small to much larger Parish and Town Councils. To make them appropriate to this Council, we would need a review against our working practices and the current Financial Regulations. This is normal practice. Unfortunately, the date these new regulations have been received has not left enough time to fully review the document before putting recommendations to Council.
- 2.2 Our current Financial Regulations cover all statutory requirements of Local Councils.

3.0 RECOMMENDATION

- 3.1 That the Council adopts the current Financial Regulations for a period of six months.
- 3.2 That the revised NALC Model Financial Regulations 2024 are reviewed by the RFO and CEO/Town Clerk and put forward to the Policy and Resources Committee for discussion.
- 3.3 That the Policy and Resources Committee brings a recommendation of the new NALC Model Financial Regulations 2024 to Council for adopting within six months.

L Young
CEO/Town Clerk

Values are to be set by the Council when adopting Financial Regulations (other than the EU Procurement thresholds shown in Regulation 11)

Adopted 17 May 2023

**LYMINGTON AND PENNINGTON TOWN COUNCIL
FINANCIAL REGULATIONS [ENGLAND]**

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These Financial Regulations were adopted by the Council at its Meeting held on 17 May 2023.

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 orders¹ 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. A breach of these Regulations by an employee is gross misconduct.
- 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.
- 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;

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

- 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 current 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;
- 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. 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.

2.3. 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.

- 2.4. 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.
- 2.5. The internal auditor shall:
- be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.
- 2.6. 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.
- 2.7. 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.
- 2.8. 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.
- 2.9. 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. The RFO must each year, by no later than December, 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 council.
- 3.2. 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.
- 3.3. 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.

- 3.4. 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 by the clerk or RFO up to the amounts included for that class of expenditure in the approved budget.
- 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 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 £5,000. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Clerk and RFO are 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.
- 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 Expenditure for the Quarter and present the schedule to the Policy & Resources committee. The Policy & Resources committee shall review the schedule for compliance. A detailed list of all payments complying with the Transparency Code shall be disclosed within or as an attachment to the minutes of the meeting. 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 Clerk, Deputy Clerk or 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. This verification may be stored electronically.
- 5.4. 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.
- 5.5. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by the RFO.

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. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.
- 6.3. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be approved by email by two members of council, and countersigned by the Clerk or Office Manager in the case of cheque payment, or by the Clerk or RFO for other orders for payment. Such approval will be stored digitally. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.

- 6.4. All invoices shall be examined and verified by the officer issuing the order. Before approving an invoice the officer shall satisfy him or herself that the work, goods or services to which the invoice relates have been received, carried out, examined and approved, and confirm such approval electronically.
- 6.5. Certified invoices shall be examined for arithmetical accuracy and coding.
- 6.6. If thought appropriate by the RFO, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.7. If thought appropriate by the RFO payment for certain items may be made by internet banking transfer.
- 6.8. 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 Clerk in a sealed dated envelope. This envelope may not be opened other than in the presence of the Clerk and RFO. 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 the Chairman immediately.
- 6.9. No employee 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.
- 6.10. 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.
- 6.11. The council shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used for the Councils Financial business.
- 6.12. Where internet banking arrangements are made with any bank, the Clerk and the RFO will be the Service Administrator. Payments cannot be set up and released by a single person. Payments under £500 can be authorised by either the Clerk or RFO. Payments over £500 can be authorised by either the Clerk or the RFO and will also require authorisation of two Councillors. The two Councillors who can approve payments can be any two out of the four Councillors who serve as Mayor, Chair of Policy and Resources, Chair of Amenities and Chair of Planning.
- 6.13. 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.
- 6.14. 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 the Clerk and RFO. A programme of regular checks of standing data with suppliers will be followed.

- 6.15. Any Debit Card issued for use will be specifically restricted to the Clerk and the Office Manager and will also be restricted to a single transaction maximum value of £1000 unless authorised by Policy & Resources committee.
- 6.16. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the authorised user and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.17. The council will maintain a cash float. All cash received must be banked intact. No payments will be made in cash.

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 and Pensions regulations. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance, and the Pensions Regulator currently operating, and salary rates shall be as agreed by Policy & Resources 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 Policy & Resources 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 Clerk and RFO.
- 7.4. An effective system of personal performance management should be maintained for officers.
- 7.5. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.6. Before employing interim staff the Clerk and RFO must consider a full business case.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by 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 (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.4. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.5. All investments of money under the control of the council shall be in the name of the council.
- 8.6. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the RFO.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary. The Council will also accept payments by direct transfer into it's nominated bank account or by debit or credit card.
- 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 where possible 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. All orders must be approved by an authorised officer of the Council for order values up to a value of £500, or by the Clerk, Deputy Clerk or RFO only for orders over that value, and in accordance with the approved budget, and in accordance with these regulations.
- 10.3. All 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. Where possible 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 Clerk or RFO shall verify the lawful nature of any proposed purchase before the issue of any order, especially in the case of new or infrequent purchases or payments.

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, (see also the limits stated in connection with these services in our Standing Orders – Regulation number 18.h)
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
 - v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the 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 value of a contract is likely to exceed the threshold [£30,000 at July 2015] specified by the Public Contract Regulations 2015 (or subsequent legislation), the council must comply with the requirements of those Regulations, including any EU Procurement Directive requirements applicable. See also the limits for set by The European Commission for Public Contracts as referenced in our Standing Orders – Regulation number 18.g
- c. When it is to enter into a contract of less than £30,000 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 use best endeavours to obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- d. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- e. 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 £1,000 and authorised by the Clerk.
- 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 Reg. 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 Financial 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 employees of the council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

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.

* * *

LYMINGTON and PENNINGTON TOWN COUNCIL

TREASURY MANAGEMENT POLICY STATEMENT

1. DEFINITION OF THE APPROVED ACTIVITIES OF THE TREASURY MANAGEMENT OPERATION

- 1.1 Responsibility for the activities of the treasury management operation has been delegated to the Responsible Financial Officer (RFO) under Section 151 of the Local Government Act 1972.
- 1.2 The activities of the treasury management operation cover the following:
1. analysing internal and external information, cash flow management and methods of transmitting money, i.e. by cheques, bank transfers, Bank Automated clearing system (BACS), Clearing House Automated Payments System (CHAPS) and Direct Debit.
 2. investing temporary surpluses in approved investments and financing capital expenditure by approved borrowing instruments.
 3. ensuring that the repayment dates for the Council's borrowing are reasonably spread out. i.e. the borrowing profile.
 4. dealing with other financial institutions such as banks and the Public Works Loan Board. (PWLB)
 5. ensuring that effective security and controls are in place and an effective operation is reviewed and adhered to.
 6. ensuring that adequate banking arrangements are made and monitored for the Council.

2. FORMULATION OF TREASURY MANAGEMENT STRATEGY

- 2.1 The Council will formulate a strategy that covers the raising of capital finance, investment of surplus money and managing cash flow. Treasury management activities in the year should be conducted in accordance with the strategy
- 2.2 When entering into treasury management investments the Council will consider security, liquidity and yield in that order of importance, in line with statutory guidance on Local Government Investments

3. DEFINITION OF APPROVED SOURCES OF BORROWING

- 3.1 The following list specifies which borrowing instruments the Council may use:
- Public Works Loan Board
 - Money Market Loans - Temporary (loans up to 364 days)
 - Local temporary borrowing
 - Bank Overdraft
 - Council's own internal funds (capital receipts and revenue balances)
 - Leasing

- 3.2 No other instrument other than those listed above may be used.

4. APPROVED INSTRUMENTS FOR INVESTMENTS

The Council will only use fixed, short-term, which will not exceed a maximum of 12 months, cash deposits in sterling in approved financial organisations for investments. The maximum amount that can be invested with any one organisation will be £500,000 but this limit is waived until such time as the funds received from the sale of access rights over Alexandra Road have been spent but consideration should be given where possible to minimising risk. Since 3rd July 2015 we are no longer covered by the Financial Services Compensation Scheme (FSCS - £75,000) as we are defined as a large local authority and only the smaller local authorities are covered. The definition is those with budgets of less than €500,000 on the day of enforcement (3/7/15 as per Bank of England Prudential Regulation Authority Policy statement PS9/15).

5. DEFINITION OF APPROVED ORGANISATIONS FOR INVESTMENTS

The following organisations constitute the counterparties with whom temporary investments will be made.

- 5.1 Banks which are UK clearing banks or which are incorporated in the UK, ensuring that banks are not part of the same group of companies.

- 5.2 Building Societies

The Council may invest in a UK registered Building Societies. Again attention needs to be paid to ensure that any Building Society used has its own FSA authorisation number.

- 5.3 Other Local Authorities or other UK regulated institutions or funds

The Council may invest temporarily with all other local authorities. The maximum each one may borrow is £250,000 for a period which will not exceed a maximum of 12 months.

- 5.4 Accidental Breach of Limits

The Council will operate "daylight exposure". This is a technique that ensures that in no circumstances can limits be exceeded. Normally, in calculating the amount of investment, the RFO is entitled to assume that a sum due back from an organisation will be received on the due date before making a further investment with that organisation. If for some technical reason the repayment does not arrive in the Council's bank account it is possible that, after a new investment is made with the same organisation, limits will be exceeded.

- 5.5 In addition, transfers between the Council's current and deposit accounts shall be permitted up to a maximum of £100,000 per day, to maximise interest earnings on surplus funds that cannot be placed in time deposits (usually for a minimum of one month)

6. POLICY ON DELEGATION

- 6.1 The RFO is authorised by the Council to exercise the investment and borrowing powers of the Council in accordance with Council Policy, The Chartered Institute of Public Finance and Accountancy's (CIPFA) Standard of Professional Practice on Treasury Management, and professional codes of practice.
- 6.2 The RFO may delegate the operations of Treasury Management to the Town Clerk in connection with the approved activities of Treasury Management, with prior approval of the Chairman of Policy and Resources Committee.
- 6.3 Any changes to delegated powers will be approved by Policy and Resources Committee.

7. REVIEW REQUIREMENTS AND REPORTING ARRANGEMENTS

- 7.1 The RFO will report to the Policy and Resources Committee on Treasury Management as follows: -
 - ANNUALLY - Report on Investments
 - MAY - for the annual report for the previous year.

Adopted on 17 May 2023



MODEL STANDING ORDERS 2018 (revised 2023) (ENGLAND)

**ADOPTED BY LYMINGTON
AND PENNINGTON TOWN
COUNCIL**

Adopted at Annual Council Meeting 17 May 2023

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INTRODUCTION

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

HOW TO USE MODEL STANDING ORDERS

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council’s standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council’s Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

DRAFTING NOTES

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council’s needs. It is NALC’s view that all model standing orders will generally be suitable for councils.

For convenience, the word “councillor” is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '()' requires information to be inserted by a council. A model standing order that includes brackets like this '[]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

1. **RULES OF DEBATE AT MEETINGS**

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

- o Unless permitted by the chairperson of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since they last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they considers has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- q A point of order shall be decided by the chairperson of the meeting and their decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairperson of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairperson of the meeting.

2. **DISORDERLY CONDUCT AT MEETINGS**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairperson of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairperson of the meeting to moderate or improve their conduct, any councillor or the chairperson of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairperson of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. **MEETINGS GENERALLY**

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, contributions or suggestions at a meeting which they are entitled to attend in respect of the business on the agenda, in accordance with the Council's Public Participation Scheme attached as Annex A to these Standing Orders.
- f The period of time designated for public participation at a meeting in

- accordance with standing order 3(e) shall not exceed 30 minutes unless directed by the chairperson of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
 - h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairperson of the meeting may direct that a written or oral response be given.
 - i A person shall raise his hand when requesting to speak.
 - j A person who speaks at a meeting shall direct his comments to the chairperson of the meeting.
 - k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairperson of the meeting shall direct the order of speaking.
 - l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
 - m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
 - n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
 - o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairperson of the Council may in their absence be done by, to or before the Vice-Chairperson of the Council (if there is one).**
 - p **The Chairperson of the Council, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Vice-Chairperson of the Council (if there is one) if present, shall preside. If both the Chairperson and the Vice-Chairperson are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
 - q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
 - r **The chairperson 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 they gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairperson of the Council at the annual meeting of the Council.

- **s Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

t The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- **u A councillor or a non-councillor with voting rights who has a**
- **disclosable pecuniary interest or another interest as set out in the**
- **Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- **v No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.** *See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.*

- w **If a meeting is or becomes inquorate no business shall be transacted**
- and the meeting shall be closed. The business on the agenda for the meeting
- shall be adjourned to another meeting.

- x A meeting shall not exceed a period of 3 hours.

4. **COMMITTEES AND SUB-COMMITTEES**

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d Unless otherwise decided by the Council, the Policy & Resources, Amenities and Planning Committees shall be known as Standing Committees.
- e Apologies for absence must be received by the Proper Officer at least 2 days prior to the meeting unless there are extenuating circumstances.
- f The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer two clear days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, decide whether the Chairperson and Vice Chairperson of each committee shall be elected at that meeting or by members of that committee at their first meeting of the committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairperson at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;

- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

5. **ORDINARY COUNCIL MEETINGS**

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairperson and Vice-Chairperson (if there is one) of the Council.**
- f **The Chairperson of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairperson of the Council, if there is one, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chairperson of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairperson of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chairperson of the Council has been elected. The current Chairperson of the Council shall not have an original vote in respect of the election of the new Chairperson 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 Chairperson of the Council has been re-elected as a member of the Council, they shall preside at the annual**

meeting until a new Chairperson of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairperson of the Council and shall give a casting vote in the case of an equality of votes.

- j Following the election of the Chairperson of the Council and Vice-Chairperson (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chairperson 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 Chairperson of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - iv. Review of the terms of reference for committees;
 - v. Appointment of members to existing committees;
 - vi. Appointment of any new committees in accordance with standing order 4;
 - vii. Review and adoption of appropriate standing orders and financial regulations;
 - viii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back;
 - x. 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;
 - xi. Review of inventory of land and other assets including buildings and office equipment;
 - xii. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - xiii. Review of the Council's Complaints Procedure;
 - xiv. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);

- xv. Review of the Council's policy for dealing with the press/media;
- xvi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. **EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- a **The Chairperson of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairperson 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 shall be signed by the two councillors.**
- c The chairperson of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairperson of a committee [or a sub-committee] does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. **PREVIOUS RESOLUTIONS**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 5 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. **VOTING ON APPOINTMENTS**

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue

until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairperson of the meeting.

9. **MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days by 10.00am before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it so that it can be understood, in writing, to the Proper Officer at least 4 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairperson of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. **MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i to correct an inaccuracy in the draft minutes of a meeting;

- ii. to move to a vote;
- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. **MANAGEMENT OF INFORMATION**

See also standing order 20.

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**

- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council’s contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. **DRAFT MINUTES**

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

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

“The chairperson 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 their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. **CODE OF CONDUCT AND DISPENSATIONS**

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) 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;**
 - ii. **granting the dispensation is in the interests of persons living in the**

Council's area; or

iii. it is otherwise appropriate to grant a dispensation.

14. **CODE OF CONDUCT COMPLAINTS**

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 them. Such action excludes disqualification or suspension from office.

15. **PROPER OFFICER**

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

b The Proper Officer shall:

i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**

- **serve on councillors by delivery or post at their residences or by email authenticated in such 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**
- **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 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

ii. **convene a meeting of the Council for the election of a new Chairperson of the Council, occasioned by a casual vacancy in their office;**

iii. **facilitate inspection of the minute book by local government electors;**

iv. **receive and retain copies of byelaws made by other local authorities;**

- v. hold acceptance of office forms from councillors;
- vi. hold a copy of every councillor's register of interests;
- vii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- viii. liaise, as appropriate, with the Council's Data Protection Officer (if appointed);
- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;
(*see also standing order 23*);
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. manage access to information about the Council via the publication scheme; and
- xiv. retain custody of the seal of the Council.

16. **RESPONSIBLE FINANCIAL OFFICER**

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

17. **ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide to Council:
 - i. a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information;
 - and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the Annual Governance and Accountability Return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. **FINANCIAL CONTROLS AND PROCUREMENT**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;

- iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
- v. procurement policies (subject to standing order 18c) including the setting of values for different procedures where a contract has an estimated value below **£30,000**.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant thresholds in standing order 18(g) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d tenders shall be opened by the Proper Officer in the presence of at least one officer or councillor after the deadline for submission of tenders has passed;
- e tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility;
- f Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- g **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- h **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or**

other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

19. **HANDLING STAFF MATTERS**

Staff matters and procedures are contained within the Lymington & Pennington Town Council Staff Handbook 2019.

20. **RESPONSIBILITIES TO PROVIDE INFORMATION**

See also standing order 21.

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

21. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

See also standing order 11.

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

22. **RELATIONS WITH THE PRESS/MEDIA**

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

23. **EXECUTION AND SEALING OF LEGAL DEEDS**

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

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

24. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

25. **STANDING ORDERS GENERALLY**

- a. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9.
- c. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d. The decision of the chairperson of a meeting as to the application of standing orders at the meeting shall be final.

Annex A

Public Participation at Town Council Meetings

Members of the public have a legal right to attend decision making meetings of the Council and its committees, except where they are excluded for specific items which need to be discussed in confidence (e.g. staffing matters or tenders for contracts).

Members of the public have no legal right to speak at meetings of the Council or its committees and so when they are allowed to do so it is considered a privilege. The Council sets aside time for public participation during which members of the public may make a representation, contribution, suggestion or at a Full Council meeting, ask a question. Councillors with a prejudicial interest in an agenda item may speak during public participation (and then leave the room when the item is considered).

Public participation is not an appropriate time for members of the public to complain about general problems such as the routine maintenance of facilities. Members of the public should contact the Town Clerk about such issues. Public participation is also not to be used to demand information that is already available to the public or will be made available in accordance with statute or to raise matters which are not within the control of or relevant to the Council.

Other than when invited to do so by the Chairperson, members of the public are not permitted to speak at the meeting as this confuses the roles of councillors, who participate in the meeting, and members of the public who observe it. If there is a possibility that a large number of people will wish to speak, the Chairperson will encourage people not to repeat comments made by earlier speakers or ask for a single representative to be appointed.

Public participation takes place near the start of the meeting immediately after declaration of interests to make everyone aware if a member has a prejudicial interest. Comments made during public participation are briefly minuted. Only the names of councillors with a prejudicial interest are recorded. Libellous, offensive and discriminatory comments are not minuted.

It is recognised that some members of the public may abuse the opportunity to speak. While the Chairperson will endeavour to ensure an answer to a question that has been properly notified in advance, this will be refused if continuous representations are made or repetitive questions asked.

Neither councillors nor officials are under any obligation to respond immediately or at all to comments or questions made during public participation. The Chairperson's decision to allow a question or require an answer to be given will be final. Members of the public do not have a right to force items onto the Council agenda.

The public have a legal right to attend Council and committee meetings but do not have a right to disrupt them. Members of the public should not heckle or otherwise disrupt and must respect the rulings of the chair. The Chairperson of any meeting has the right to exclude a disorderly person and to adjourn the meeting.

Rules

1. A maximum of twenty minutes will be set aside for public participation at Council and committee meetings. In exceptional circumstances the Chairperson has the discretion to extend this by a maximum of a further 10 minutes.
2. Questions may only be asked at Full Council meetings as the main decision making body with the exception of planning issues which may be made at meetings of the Planning Committee. The conduct of public participation will be regulated by the Chairperson having regard to the guidelines set out but with the right of discretion reserved.
3. Members of public wishing to speak will advise the Chairperson of the content or context of their subject prior to speaking. The Chairperson's decision on the relevance of a representation or question and on the method of dealing with any issue in connection with this procedure will be final. This includes the Chairperson's decision to allow a representation or question or require an answer to be given.
4. Questions:
 - Must be clear and concise and be relevant to matters for which the Council has powers or duties.
 - Only one question may be asked by any member of the public or organisation and the question must relate to a single topic.
5. Questions, representations, contributions or suggestions should not:
 - Contain offensive expressions or be personal or verbal attacks on any staff or member of the Council.
 - Divulge, or require the answer to divulge confidential or exempt information.
 - Repeat questions or representations previously asked at earlier meetings unless there has been a material change of circumstances.
6. Questions may only be asked of the Chairperson.
7. Members of the public wishing to ask a question at a Full Council or Planning meeting should provide the wording of the question and the following details to the Town Clerk by no later than 12.00 noon two days before the Full Council meeting or in the case of a planning application by 12.00 noon the day prior to the Planning Committee meeting:
 - Name, address and contact details of the person asking the question.
 - The name of an organisation if the question is being asked on their behalf.
 - The question to be asked.
 - Brief information about how the subject of the question relates to the person asking the question (e.g. as a resident of the area, as a recipient of a service, the owner of a property affected by a proposal).
8. The following process will apply at the meeting:
 - The Chairperson will invite representations to be made or questions to be asked at the meeting.

- The Chairperson will invite the member of the public to address the meeting from the floor using the microphone provided.
 - Up to a maximum of three minutes will be allowed to address the meeting. However, if two or more members of the public are concerned about the same topic only two may speak in support of the matter and two against. The first speaker in either case shall speak for a maximum of 3 minutes and the second for 2 minutes.
 - The Chairperson shall decide on whether or not a response is appropriate and if so shall respond or invite a Councillor or officer of the Council to respond which may take the form of:
 - (a) a direct oral response.
 - (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
 - (c) where the reply cannot conveniently be given orally, a written response circulated later to the questioner and made available to all members of Council and to the public.
9. The timing of questions and responses is controlled by the Town Clerk.
10. No debate will be allowed on any question or the response thereto with the exception of planning meetings where Councillors may ask questions for clarification.
11. Any person excluded from a meeting will lose the privilege of addressing any meeting for a period of 12 months or until such time as the Council may decide otherwise.

CONFIRMATION OF INSURANCE RENEWAL

Report to Council: 15th May 2024

1.0 INTRODUCTION

- 1.1 The Council's insurance policy is due for renewal on 1st June 2024.
- 1.2 Whilst the anticipated figure for a 3-year contract is below the £30,000 threshold, we still advertised the tender on Contracts Finder as well as directly contacting known insurance companies for Local Councils to try to obtain competitive quotations.

2.0 DISCUSSION

- 2.1 Only one company, our current insurance company, Zurich, would provide a 3-year quotation at £20,583.45 per annum. Zurich have provided insurance services to the Town Council since 2012. Zurich's quotation for one year is £22,292.00.
- 2.2 One additional company quoted for a 1-year premium only, this was a cost of £28,030.42. They would not provide a 3-year quotation due to our claims experience.
- 2.3 All other companies approached declined to quote, for several reasons, including the difficulty covering the Sea Water Baths or public sector risks.

3.0 RECOMMENDATION

- 3.1 That the Council renews the insurance contract with Zurich, for three years, as the most competitive quotation.

L Young
CEO/Town Clerk

LYMINGTON AND PENNINGTON TOWN COUNCIL

COMPLAINTS POLICY AND PROCEDURE

1. Introduction

There are no statutory mechanisms in place should complaints be made against local councils in England. This document is intended to assist the council to deal with complaints they receive and includes a complaints procedure. It will not be appropriate to deal with all complaints from members of the public under a complaints procedure.

Type of conduct	Refer to
Financial irregularity	Local elector's statutory right to object Council's audit of accounts pursuant to s.16 Audit Commission Act 1998. On other matters, councils may need to consult their auditor / Audit Commission
Criminal activity	The Police
Member conduct	In England a complaint relating to a member's failure to comply with the Code of Conduct must be submitted to the standards committee of the relevant principal authority. In Wales, any complaint about member conduct should be made to the Public Services Ombudsman.
Employee conduct	Internal disciplinary procedure

Definition

The first task is to determine exactly what a complaint is. Sometimes the word 'complaint' is used by members of the public but sometimes it is not. The Local Government Ombudsman offers the following definition of a complaint:

'A complaint is an expression of dissatisfaction by one or more members of the public about the council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself or a person or body acting on behalf of the council.'

2. Confidentiality

The identity of a complainant should only be made known to those who need to consider a complaint.

3 Stages

Most complaints can be dealt with by the Town Clerk and front line staff. The Town Clerk will use his/her judgement in the first instance. If the complaint is more complex, is an appeal regarding the initial findings of a complaint or is about the Town Clerk, a Complaint Committee can be formed.

The Complaints Committee should be made up of three Councillors appointed by the Council one of whom shall be appointed chairman by the Council.

It may be that the clerk (or other nominated officer) at the meeting represents the position of the council. If the clerk (or other nominated officer) puts forward justification for the action or procedure complained of, he or she should not advise the council or committee, as they need to determine the matter themselves.

3. Persistent/Vexatious Complainants

In a minority of cases people can pursue their complaints in a way which either impedes the looking into a complaint or has significant resource issues for the Council. This Council defines persistent complainants as “those complainants who because of the frequency or nature of their contacts with the Council, unreasonably hinder the work of the Council”.

It is important to differentiate between complainants who pursue their complaints with vigour and those who act unreasonably.

Examples of what could be defined as persistent, vexatious or unreasonable are:

- Refusing to specify the complaint despite offers by the Council to help;
- Refusing to co-operate with the investigation while expecting the complaint to be resolved;
- Refusing to accept the complaint cannot be resolved by the complaints procedure despite being provided with information on this;
- Making groundless complaints about individuals;
- Adopting a ‘scattergun’ approach ie either submitting a complaint to a number of different people at the Council or pursuing a complaint with the Council while asking others (MPs, Standards Committee, Police, Courts etc) to do the same;
- Making excessive demands on the time and resources of employees while a complaint is being investigated ie phoning or emailing daily, or consistently writing letters;
- Electronically recording conversations without prior knowledge of those present;
- Submitting repeat complaints on the same topic after the complaints process has been completed insisting there are ‘new’ complaints;
- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.

All complaints will be investigated thoroughly and fully. However if a complainant is felt to be acting unreasonably the following procedure will then be followed.

Where the investigation is complete:

- The Town Clerk will discuss the matter with the Chairman of the Complaints Committee and if necessary the Council’s solicitors and will write to the complainant explaining why the decision has been taken

and stating no further correspondence will be undertaken on the complaint. All correspondence received will be read and placed on file.

- A copy of this procedure is to be enclosed.

Where the investigation is ongoing:

The Town Clerk will write to the complainant explaining why the decision has been taken:

- Explaining that contact with officers will be limited to once a week or other appropriate timescale; or
- Requiring any personal contacts to be in the presence of named witness(es); or
- Stating no further complaints on the same matter will be registered until the present complaint has been determined; or
- Stating the investigation has been terminated.

Any restrictions imposed under the above procedures will be kept under review (at least every 6 months) and be removed if the need for them no longer exists.

COMPLAINTS COMMITTEE PROCEDURE

Before the Meeting

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the Town Clerk or other nominated officer.
2. If the complainant does not wish to put the complaint to the Town Clerk or other nominated officer or if the complaint is against the Town Clerk, he or she should be advised to address it to the Mayor.
3. The Town Clerk or Mayor shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the committee established for the purposes of hearing complaints. The complainant should also be advised whether the complaint will be treated as confidential or whether, for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a committee).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

6. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at a council meeting in public.

7. The chairman should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.
9. The Town Clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
10. The Town Clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
11. The Town Clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
12. The Town Clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the Meeting

13. The decision should be confirmed in writing within seven working days together with details of any action to be taken.

Adopted 17 May 2023

LYMINGTON AND PENNINGTON TOWN COUNCIL

Data Protection Policy

GDPR governs the processing of personal data held by organisations

Lymington and Pennington Town Council needs to collect and use certain types of information about people in order to effectively carry out its day to day operations, many of which are statutory requirements.

Information collected includes, among others, current, past and prospective;

- Employees
- Taxpayers
- Benefit / Grant claimants
- Housing tenants
- Suppliers
- Customers / Users of services

Personal information must be dealt with properly however it is collected, recorded and used - whether on paper, in a computer or other material.

The lawful and correct treatment of personal information is regarded as very important to the successful operation of all Council business and to maintaining confidence with all individuals and organisations with whom the Council has contact.

The Council fully endorses and adheres to the Principles of data protection. Specifically the Principles require that personal information:

- Shall be shall be processed fairly and lawfully and in particular shall not be processed unless specific conditions are met;
- Shall be obtained for only one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or purposes;
- Shall be adequate, relevant and not excessive in relation to the purpose for which it is processed;
- Shall be accurate and where necessary kept up to date;
- Shall not be kept for longer than is necessary for that purpose;
- Shall be processed in accordance with the rights of data subjects under the Act;
- Shall have appropriate technical and organisational measures in place to prevent unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data;
- Shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Lymington and Pennington Town Council will therefore, through appropriate management, strict application of criteria and controls:

- Fully observe the conditions regarding fair collection and use of information;
- Meet its legal obligations to specify the purposes for which information is used;
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply checks to determine the length of time information is held;
- Ensure that the rights of people about whom information is held are able to be fully exercised under GDPR. (These include the right to be informed that processing is being undertaken, the right of access to one's own personal information, the right to prevent processing in certain circumstances and the right to correctly rectify, block or erase information which is regarded as wrong information);
- Take appropriate technical and organisational measures to safeguard personal information;
- Ensure that personal information is not transferred abroad without suitable safeguards.

We will process your information for the following purposes:

- for the service you requested, and to monitor and improve the council's performance in responding to your request.
- to allow us to be able to communicate and provide services and benefits appropriate to your needs.
- to ensure that we meet our legal obligations.
- where necessary for the law enforcement functions.
- to prevent and detect fraud or crime.
- To process relevant financial transactions including grants and payments for goods and services supplied to the Council
- where necessary to protect individuals from harm or injury.
- to allow the statistical analysis of data so we can plan the provision of services.

Lymington and Pennington Town Council will ensure that there is someone with specific responsibility for data protection in the organisation.

All employees managing and handling personal information will be appropriately trained and supervised. All enquiries about the handling of personal information will be dealt with promptly and courteously.

A regular review will be undertaken of the way in which personal information is managed.

Important Information relating to Publication of Personal Data

Any applications, representations, objections or other documents received by the Council that are published on this website will have personal (but not business) telephone numbers and e-mail addresses, and all signatures, removed before publication.

Data Sharing

Lymington and Pennington Town Council is required by law to protect the public funds it administers.

New Forest District Council is required by law to protect the public funds it administers. We may share information to NFDC internally and with other government agencies, including bodies responsible for auditing or administering public funds, in order to prevent and detect fraud.

Rights Related to Automated Decision Making and Profiling

Lymington and Pennington Town Council does not use automated decision making or profiling of individual personal data.

Data Subject Access Requests

Individuals about whom personal data is held are entitled to be informed whether personal data about themselves is being processed by the Council.

Data subjects (Individuals about whom personal data is held) are entitled, upon written request to the Council, to be promptly informed whether personal data about themselves is being processed.

You have a right to know the following:

- What personal information we hold about you
- The reasons we hold this information and how we process it
- Who has access to this information
- Where the information came from, unless it would be inappropriate to share this information.
- Whether we are carrying out automated processing of your data including profiling. This means that a computer is making a “profile” or a decision about you based on the information we hold.

There are certain classes of data that are exempt from the data subject access provisions.

Erasure

This is sometimes referred to as “the right to be forgotten”. It means that in certain circumstances you have the right to request that we delete information that we hold about you. As with your right to portability, there are limited circumstances where this will apply to information we hold about you as there are often overriding legal requirements which mean that information held by the Council cannot be deleted.

Firstly, we will assess whether we still need the information and whether there is any legal reason to keep it. If there is no reason for us to keep it then the information will be deleted within 30 days.

If the information was published or provided to third parties we will make all reasonable efforts to notify those parties who have accessed the data of your request. If your information had been published on our website we will remove all links to the information and any copies of it.

There may be situations when we do not agree to delete the information. In those circumstances we would explain to you our reason/s. Examples of reasons why we would not delete your information could be any of the following:

- A legal requirement.
- We have the power to process the information and we believe it is in the public interest to continue to do so.
- Public health reasons.
- The information is needed for the public archives.
- Current or future legal claims that we may need to bring or defend.
- In some circumstances where we believe we are justified in keeping the information we may be able to remove some of your personal information which would mean that you could not be easily identified. This is called “pseudonymisation”. Whilst we still need to comply with the rules concerning how we process your information, this would make it harder for the information to be identified as relating to you.
- If the data can be fully anonymised to the point that you wouldn’t recognise yourself from the information retained, and there is no way of restoring the link between your identity and the information, we would treat this as having complied with your request.

Correction

We have a duty to ensure that the information we hold about individuals is accurate and up to date. However, there may be occasions where the information we hold is not.

If you identify that we hold incorrect or incomplete information you have the right to request that we correct the data. Unless we consider your request is unfounded or excessive we will do this as soon as possible, but no later than 30 days after your request. This could also mean adding an extra statement to your record to clarify information.

When your information has been corrected, any incorrect information will be deleted at the same time unless you exercise your right to restriction, as set out below.

Timescales

The Council must respond to any legitimately submitted request within 30 days of receipt.

Responding to a request

To ensure that subject access requests are dealt with in accordance with the requirements of GDPR all requests should be handled by the Council's Data Protection Officer. Any requests received by individuals throughout the organisation should therefore be referred to the Data Protection Officer.

All requests must be made in writing. A standard request form is available for use. Written requests not using the standard form may be accepted provided sufficient information is included in the correspondence to enable the request to be processed.

Computerised and manual records are covered under this entitlement.

A copy of the data held should be supplied in permanent form.

The identity of the data subject must be verified before releasing data. Individuals visiting Council offices will be asked to produce evidence of identity before handing over any data in response to a request. Examples of valid evidence are passport, driving licence, checking signatures with signed application forms, employment records etc.

In certain circumstances provision of a copy of the data in permanent form may be declined if supplying it would require disproportionate effort. This might apply if the printed version of the data is very lengthy or has to be retrieved from a remote archive. The data subject is however still entitled to the data and a sensible option may be to invite the data subject to the offices to inspect the files.

Contact

If you wish to discuss how we process your personal data please contact the Data Protection Officer, Louise Young, by any of the following methods:

Email: info@lymandpentc.org.uk

Telephone: 01590 630830

Address: Lymington and Pennington Town Council, Town Council Office,
Town Hall, Avenue Road, Lymington SO41 9ZG

If you wish to complain about how our organisation processes your personal data you can contact the Information Commissioner's Office:

Address: Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Telephone: 0303 123 1113

Email: casework@ico.org.uk

Adopted 17 MAY 2023

Lymington and Pennington Town Council

Relations with the Media Policy

Policy for official Council Communications with the Press and Media

Introduction

1. This policy does not seek to be either prescriptive or comprehensive but sets out to provide guidance on how to deal with some of the practical issues that may arise when dealing with the Press and Media.

Policy

2. Any corporate communications with the Press and Media will be in writing via the Town Clerk or Mayor.
3. The Town Clerk as the Proper Officer of the Council is authorised to receive all communications from the Press and Media and to issue Press Statements on behalf of the Council. In his/her absence enquirers will be referred to the Mayor.
4. All communications made by the Town Clerk will relate to the stated business and day to day management of the activities or adopted policy of the Council.

Members of the Council

6. All Councillors must observe the Code of Conduct in force whenever conducting the business of the council, or acting as a representative of the council.
7. A Councillor must not discuss with the press any matter which has been discussed under confidential items on the Council's agenda or at any other private briefing.
8. When speaking or providing written material to the Press and Media, Members must make clear the capacity, in which they are providing the information. For example: -
+ as Clerk or Mayor of the Council
+ as a Councillor or as a private individual (i.e. letter to press for publication) but not representing the views of the council.
9. Councillors should be mindful of the decisions made by the Council and should not issue any verbal or written statement which undermines them, even if they voted against that decision.
10. When writing to the press as an individual, never imply you are stating Council.

Guidance for dealing with the Press

11. If the press or media approach you for comment on a controversial subject, it is usually safer to state "no comment" and ask the press to contact the Town Clerk.
12. When dealing with the Press verbally, members should remain calm. Be aware that statements made in innocence can look very different in print, than they did when spoken.
13. Ensure that your comments and views will not bring the Council, its Councillors or its staff into disrepute and ensure that comments are neither libellous nor slanderous.

Meetings of Council and Committees

14. Copies of Agendas and Approved Minutes are available to the public and therefore the Press and Media and are placed on the Council's web site.
15. At meetings, members of the Press are permitted to take notes of the proceedings, unless excluded by resolution of the Council, usually when matters of a confidential nature are being discussed.

Press Releases

16. All press releases made on behalf of the Council will be prepared by the Town Clerk following any meetings of the Council.
17. The Town Clerk is authorised to publish press releases on any urgent matters where there is insufficient time for a council meeting.

Adopted 17th May 2023

Lymington & Pennington Town Council Publication Scheme

Background

The Freedom of Information Act 2000 received Royal Assent on 30th November 2000. It gives a general right of access to all types of recorded information held by public authorities, sets out exemptions from that right and places a number of obligations on public authorities. Under the Act, every public authority is required to adopt and maintain a Publication Scheme.

What is a Publication Scheme?

This Publication Scheme provides the public with a structured list of information held by the Town Council, the manner in which this information is published and whether a charge will be made for the information.

Model Scheme

Attached is Lymington and Pennington Town Council's Publication Scheme that defines information that the Council holds which is accessible to members of the public. The Publication Scheme indicates the format of each publication and whether there is a charge for its supply.

What charges are there?

Where a member of the public is seeking to obtain a copy of information included in the Publication Scheme, the Council may set reasonable charges for this. Costs are available on application to the Clerk and may include photocopying costs, postage (where incurred) and staff time.

Confidentiality Notice

Lymington and Pennington Town Council wishes to be as open as possible and supply the information requested. However, the Town Council may withhold any information if it considers its release not to be in the public interest and could cause significant harm. Any sensitive and confidential information is exempt from public information. Any exclusion as prescribed by law is contained in the Publication Scheme.

Requests for Information

Anyone can request information in writing or by e-mail. The request must include details of the applicant and the information sought. The applicant has two rights, to be told whether a local council holds the information and to receive the information as a copy or summary, if considered to be in the public interest. The Town Council will have to respond within 20 days of the request. If a fee is required, this period can be extended up to 3 months until the fee is paid.

This publication scheme has been prepared and approved by the Information Commissioner. It has been adopted without modification by the Town Council and will be valid until further notice.

This publication scheme commits the Town Council to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the Town Council.

Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner. The scheme commits the Town Council

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
- To specify the information held by the Town Council and which falls within the classifications below.
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority makes available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public.

Classes of Information

<http://www.lymingtonandpennington-tc.gov.uk/information/links.html> See Appendix 1

Who we are and what we do.

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing.

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures.

Current written protocols for delivering our functions and responsibilities.

Lists and Registers.

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The Services we Offer.

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered. The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.

- Information in draft form.

- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available. The Town Council will indicate clearly to the public what information is covered by this scheme and how it can be obtained. Where it is within the capability of the Town Council, information will be provided on a website.

Where it is impracticable to make information available on the Council website or when an individual does not wish to access the information by the website, the Town Council will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where the Town Council is legally required to translate any information, it will do so. Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for Information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the Town Council for routinely published material will be justified and transparent and kept to a minimum. Material which is published and accessed on a website will be provided free of charge. Charges may be made for information subject to a charging regime specified by Parliament. Charges may be made for actual disbursements incurred such as:

- photocopying

- postage and packaging

- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public. If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by the Town Council not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

ADOPTED 17th MAY 2023

Appendix 1

Information available from Lymington and Pennington Town Council under the model publication scheme with effect from 1 December 2010

Class1 - Who we are and what we do		
(Organisational information, structures, locations and contacts) This will be current information only		
Information to be published	How the information can be obtained	Cost
Who's who on the Council and its Committees	Hard copy and Website	10p per sheet Free from website Notice Boards
Contact details for Town Clerk and Council members (named contacts where possible with telephone number and email address (if used))	Hard copy and Website	10p per sheet Free from website
Location of main Council office and accessibility details	Hard copy and Website	10p per sheet Free from website
Staffing structure	Website	
Top of Page		
Class 2 – What we spend and how we spend it		
(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit) Current and previous financial year as a minimum		
Annual return form and report by auditor	Hard copy	10p per sheet. Free from website
Finalised budget	Hard copy	10p per sheet. Free from website
Precept	Hard copy	10p per sheet. Free from website
Borrowing Approval letter	N/A	
Financial Standing Orders and Regulations	Hard copy	10p per sheet

Grants given and received	Hard copy	10p per sheet
List of current contracts awarded and value of contract	N/A	
Members' allowances and expenses	Hard copy	10p per sheet
Class 3 – What our priorities are and how we are doing (Strategies and plans, performance indicators, audits, inspections and reviews)		
Town Appraisal	In process	
Annual Report to Parish or Community Meeting (current and previous year as a minimum)	N/A	
Quality status	Not adopted	
Local charters drawn up in accordance with DCLG guidelines	N/A	
Class 4 – How we make decisions (Decision making processes and records of decisions) Current and previous council year as a minimum		
Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)	Hard copy and Website	10p per sheet Free from website
Agendas of meetings (as above)	Hard copy and Website	10p per sheet Free from website
Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.	Hard copy and Website	10p per sheet Free from website
Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.	Hard copy	10p per sheet Free from website
Responses to consultation papers	N/A	
Responses to planning applications	Hard copy	10p per sheet Free from website
Bye-laws	N/A	

Class 5 – Our policies and procedures	(hard copy or website)	
(Current written protocols, policies and procedures for delivering our services and responsibilities) Current information only		
Policies and procedures for the conduct of council business:		
Procedural standing orders	Hard copy and website	10p per sheet
Committee and sub-committee terms of reference	Hard copy or free from website	10p per sheet
Delegated authority in respect of officers	Available in due course	
Code of Conduct	Hard copy and website	10p per sheet
Policy statements: Equality and diversity policy Health and Safety policy Complaints policy and procedures	Hard copy and web site	10p per sheet
Policies and procedures for the provision of services and about the employment of staff:		10p per sheet
Internal policies relating to the delivery of services	Available in due course	
Recruitment policies (including current vacancies)		
Policies and procedures for handling requests for information		10p per sheet
Information security policy	Available in due course	10p per sheet
Records management policies (records retention, destruction and archive)	Available in due course	10p per sheet
Data protection policies	Available in due course	10p per sheet
Schedule of charges (for the publication of information)	Hard copy from Town Clerk	10p per sheet
Class 6 – Lists and Registers	(hard copy or website; some information may only be available by inspection)	
Currently maintained lists and registers only		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	N/A	

Assets Register	Hard copy	10p per sheet
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	N/A	
Register of members' interests	Available from Monitoring Officer NFDC	
Register of gifts and hospitality	Hard copy	10p per sheet
Class 7 – The services we offer		
(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)		
Allotments	Hard copy	
Burial grounds and closed churchyards	N/A	
Community centres and village halls	N/A	
Parks, playing fields and recreational facilities	Hard copy	10p per sheet
Seating, litter bins, clocks, memorials and lighting	Hard copy	10p per sheet
Bus shelters	Hard copy	10p per sheet
Markets	Hard copy	10p per sheet
Public conveniences	Hard copy	10p per sheet
Agency agreements	None	

A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees) - Burials, Cremations (Scattering of Ashes), Hiring of Football & Cricket Pitches	Hard copy from Town Clerk	10p per sheet
Additional Information		
		N/A
Contact details:		
Town Clerk Lymington & Pennington Town Council Town Council Offices Avenue Road Lymington Hants, SO41 9ZG		
Telephone: 01590 630830		
E-mail: info@lymandpentc.org.uk		
Website: www.lymingtonandpennington-tc.gov.uk		
Schedule of Charges		
This describes how the charges have been arrived at and should be published as part of the guide.		
Type of Charge	Description	Basis of Charge
Disbursement cost	Photocopying (black & white)	Appropriate cost
	Photocopying (colour)	Appropriate cost
	Postage	Actual cost of Royal Mail standard 2nd class
Statutory Fee		N/A
Other		

LYMINGTON & PENNINGTON TOWN COUNCIL
COUNCIL & COMMITTEE MEETINGS
2024/2025

All held in the Council Chamber at Lymington Town Hall
Amenities 6pm
Policy and Resources 10.30am
Planning 6pm
Council 6pm

May 2024

Wednesday 15th Annual Meeting
 Wednesday 22nd Planning

June 2024

Monday 3rd Amenities
 Tuesday 11th Policy and Resources
 Wednesday 12th Planning
 Wednesday 19th Council (10.30am)

July 2024

Wednesday 10th Planning
 Monday 15th Amenities
 Wednesday 17th Policy and Resources
 Wednesday 24th Council (10.30am)

August 2024

Wednesday 14th Planning

September 2024

Monday 2nd Amenities
 Wednesday 4th Council
 Wednesday 11th Planning

October 2024

Tuesday 1st Policy & Resources
 Monday 14th Amenities
 Wednesday 16th Planning
 Wednesday 23rd Council

November 2024

Wednesday 13th Planning
 Monday 25th Amenities

December 2024

Tuesday 3rd Policy & Resources
 Tuesday 10th Planning
 Wednesday 11th Council

January 2025

Wednesday 8th Council
 Wednesday 15th Planning
 Tuesday 28th Policy and Resources

February 2025

Monday 3rd Amenities
 Wednesday 12th Planning
 Wednesday 19th Council

March 2025

Wednesday 12th Planning
 Wednesday 19th Town Meeting
 Monday 24th Amenities

April 2025

Tuesday 15th Policy & Resources
 Wednesday 16th Planning
 Wednesday 23rd Council

May 2025

Wednesday 14th Annual Meeting