



BOGNOR REGIS TOWN COUNCIL

TOWN CLERK Glenna Frost, The Town Hall, Clarence Road,

Bognor Regis, West Sussex PO21 1LD

Telephone: 01243 867744 E-mail: bognortc@bognorregis.gov.uk

Dear Sir/Madam,

MEETING OF THE POLICY AND RESOURCES COMMITTEE

I hereby give you Notice that a Meeting of the Policy and Resources Committee of Bognor Regis Town Council will take place in **The Council Chamber, The Town Hall, Clarence Road, Bognor Regis** at **6.30pm on MONDAY 1st AUGUST 2022.**

All Members of the Policy and Resources Committee are **HEREBY SUMMONED** to attend for the purpose of considering and resolving upon the business to be transacted as set out hereunder. An opportunity will be afforded to **members of the public** to put **Questions/Statements** to the Committee during an adjournment shortly after the meeting has commenced. (NOTE: Members of the public will be asked to provide their name and are encouraged to put questions/statements in advance, in writing. Priority will be given to written questions/statements and these should be restricted to the functions of this Committee.) Any written question received by 9am on Monday 1st August from members of the public not able to attend the Meeting in person, will be read by the Chairman during this adjournment.

It is intended that the meeting may be viewed remotely via the Town Council's Facebook page.

DATED this 26th DAY of JULY 2022

TOWN CLERK

AGENDA AND BUSINESS

1. Welcome by Chairman and Apologies for Absence
2. Declarations of Interest
Members and Officers are invited to make any declarations of Disclosable Pecuniary, Other Registrable and/or Ordinary Interests that they may have in relation to items on this agenda and are reminded that they should redeclare their Interest before consideration of the item or as soon as the Interest becomes apparent and if not previously included on their Register of Interests to notify the Monitoring Officer within 28 days. Members and Officers should make their declaration by stating:
 - a) the item they have the Interest in
 - b) whether it is a Disclosable Pecuniary, Other Registrable or Ordinary Interest
 - c) the nature of the Interest
 - d) if it is an Ordinary Interest whether they intend to leave the room for the discussion and vote

- e) if it is a Disclosable Pecuniary Interest or Other Registrable Interest, and therefore must leave the room for the discussion and vote, whether they will be exercising their right to speak on this matter under Public Question Time
3. To Approve the Minutes of the Meeting held on 14th June and the Extraordinary Meeting of 29th June 2022
 4. ADJOURNMENT for public question time and statements
 5. Clerk's report from previous Minutes
 6. To review Terms of Reference and make any recommendations on proposed changes to the Town Council including: -
 - To note any recommendations from the Community Engagement and Environment Committee made at their meeting on 13th June 2022 (Min. 8 refers) including recommendations regarding the Terms of Reference for the Bognor Regis In Bloom Working Group, Beach and Sea Access Topic Team, Youth Provision Steering Group and Climate Emergency Focus Group
 7. To receive the Town Force Report
 8. To note the Joint Action Group (JAG) meeting held on 16th June 2022
 9. To receive and if acceptable recommend to the Council the adoption of revised Standing Orders, together with Financial Regulations and Standing Orders for Contracts including recommended amendments as a result of changes to procurement rules
 10. Match-funding Awards - to ratify release of the funds to Rox Music and Arts deferred from last meeting - Min. 19.3 refers
 11. To Note the requirement that the Grant Aid awarded to the 2020 Pride Event currently held in Earmarked Reserves, that is no longer needed, will be returned to General Reserves - Min. 20 refers
 12. To ratify additional £100 expenditure for the Town Crier's new regalia for the Queen's Platinum Jubilee celebrations – Min. 47 from the meeting held on 2nd August 2021 refers
 13. To consider the recommendation from the Community Engagement and Environment Committee to allocate a budget of £300, for the purchase of plaques and trophies for awarding to businesses demonstrating good practice with regards to recycling and green issues - Min 16 refers
 14. To consider the requirement for an Equality, Diversity and Inclusion Policy for Bognor Regis Town Council
 15. Lease or Licence – further update on the position in relation to BRTC Assets on the Promenade regarding ADC requirements and consideration of the way forward - Min. 6.2 refers
 16. Financial Reports including: -
 - To note Committee I&E Reports for the month of [June](#) 2022 - previously copied to Councillors. These documents are available on the Town Council website @ <http://www.bognorregis.gov.uk> (follow the link, click on 'Our Council', then 'Financial Information', where these documents can be accessed by clicking the appropriate box at the bottom of the page)
 - To note that verification of bank reconciliations with the Town Council's Current account and Mayor's Charity account for the months of March and April (deferred from the last meeting – Min. 22.2 refers), and May and June 2022 undertaken by the Chairman of

the Policy and Resources Committee in line with the Council's Financial Regulations

17. Correspondence
18. Town Force: Note of outstanding debtors
19. Seafront Development including the Pier to consider further research into its potential - referred from Council Meeting 4th July 2022

Agenda items 18 & 19 will contain confidential items and require a resolution to exclude public & press.

**THERE IS A LIFT AVAILABLE AT THE TOWN HALL FOR ACCESS TO
THE COUNCIL CHAMBER IF REQUIRED**



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MINUTES OF THE POLICY AND RESOURCES COMMITTEE MEETING

HELD ON TUESDAY 14th JUNE 2022

PRESENT:

Cllr. B. Waterhouse (Chairman); Cllrs: J. Barrett, J. Erskine (from Min. 2), W. Smith, M. Stanley and Mrs. J. Warr

IN ATTENDANCE:

Mrs. G. Frost (Town Clerk)
Mrs. J. Davis (Assistant Clerk)
Mr. D. Kemp (DCK Accounting Solutions Ltd) (part of meeting)
0 members of the public

The Meeting opened at 6.31pm

1. TO NOTE THE APPOINTMENT OF THE CHAIRMAN AND VICE-CHAIRMAN AS AGREED AT THE ANNUAL TOWN COUNCIL MEETING HELD ON 9th MAY 2022

The Assistant Clerk's report was **NOTED**.

It was further **NOTED** that Cllr. B. Waterhouse was elected Chairman and Cllr. J. Erskine was elected Vice-Chairman of this Committee at the Annual Town Council Meeting held on 9th May 2022.

2. WELCOME BY CHAIRMAN AND APOLOGIES FOR ABSENCE

The Chairman welcomed everyone present and read the Council's opening statement.

Cllr. Erskine arrived at the Meeting

Apologies for absence were received from Cllrs. A. Cunard and Mrs. S. Daniells who were on annual leave, and Cllr. S. Goodheart who had another meeting.

3. DECLARATIONS OF INTEREST

The Chairman addressed those Members present to ask if they wished to confirm any declarations of Disclosable Pecuniary, Other Registrable and/or Ordinary Interests that they may have in relation to items on this Agenda.

As noted on the Agenda, Members and Officers should make their declaration by stating:

- a) the item they have the Interest in
- b) whether it is a Disclosable Pecuniary, Other Registrable or Ordinary Interest
- c) the nature of the Interest
- d) if it is an Ordinary Interest whether they intend to temporarily leave the meeting for the discussion and vote
- e) if it is a Disclosable Pecuniary or Other Registrable Interest, and therefore must temporarily leave the meeting for the discussion and vote, whether they will be exercising their right to speak on this matter under Public Question Time.

They then need to re-declare their Interest and the nature of the Interest at the commencement of the item or when the Interest becomes apparent. They should request that it be recorded in the Minutes that they will leave the meeting and will neither take part in discussion, nor vote on the item.

As per the Agenda, it is each Member's own responsibility to notify the Monitoring Officer of all Disclosable Pecuniary, Other Registrable or Ordinary Interests notifiable under the Council's Code of Conduct, not already recorded on their Register of Interests Form, within 28 days.

The Chairman reminded Members to declare their Interests as any arise or again at the relative point in the meeting if they have already.

Cllr. Stanley declared an Ordinary Interest in Agenda item 20 as he sat on a committee associated with the organisers of Pride

4. TO APPROVE THE MINUTES OF THE MEETING HELD ON 28th MARCH AND THE EXTRAORDINARY MEETINGS OF 5th AND 25th APRIL 2022

The Committee **RESOLVED** to **APPROVE** the Minutes of the Meeting held on 28th March and the Extraordinary Meetings of 5th and 25th April 2022 and these were signed by the Chairman.

5. ADJOURNMENT FOR PUBLIC QUESTION TIME AND STATEMENTS

There were no members of the public seated in the gallery and the meeting was not, therefore, adjourned.

6. CLERK'S REPORT FROM PREVIOUS MINUTES

6.1 28th June 2021 - Min. 6.4 - Treasury Management Report

The Clerk has again liaised with the Town Council's Accountant regarding this policy who has confirmed that no changes are necessary at the current time.

6.2 28th March 2022 - Min. 138.3 - Town Force Report - Licences vs. leases for BRTC Assets on the Promenade

An update has now been received from ADC's Legal Team, to confirm that the draft Lease has now been discussed with colleagues and this would be sent to the Council next week.

6.3 28th March 2022 - Min. 144 - Release of Partnership Funding Seafront Lights

A letter has been received from the Bognor Regis Seafront Lights acknowledging receipt of the £9,000 partnership funding cheque (Year 2 of 3) and advising that they are looking to extend the lights westwards later this year. Certified accounts for 2021-2022 will be forwarded as soon as these are available, and the Secretary had asked to convey thanks to Members for their ongoing support. Comment was also made that the three-year funding agreement seems to have worked well and they hope the Council will be amiable to renewing this.

6.4 25th April 2022 - Min. 164 - Bognor Regis Carnival Association

Following the allocation of match-funding for this event an email thanking the Council for its support was received from the organisers as follows: -

Thank you for the cheque for £1,270 which I have received for the Carnival Event on 4th June.

I think we have fully satisfied the criteria for the additional funding regarding the Town Centre, as on Saturday 4th June there were thousands in the Town Centre and even the Mayor said he had never seen so many people in the Town. The changes that we made for the Town Centre and West Park exceeded our expectations and we had such a successful and wonderful day and evening.

Now we shall start looking at 2023 to continually take the Bognor Regis Carnival forward.

Facebook is covered with so many positive posts and we are so excited with the changes we have made and the support that Bognor Regis Town Council has given us.

Please can you forward these comments to the Council with a huge Thank You to them.

6.5 11th April 2022 Community Engagement and Environment Committee – Min. 83 refers

At the Community Engagement and Environment Meeting held on 11th April 2022, items that had been raised at the Community Open Forum Meeting back in February 2022 were considered as to whether these were to be included as future agenda items and, in the cases, where the item was not within the remit of the CE&E Committee to refer these on to the relevant committee.

Two items were identified for the Policy and Resources Committee which included: -

- The effectiveness of the Business Wardens
- Anti-Social Behaviour and Crime in Bognor Regis Town

Separately the Clerk has been approached by the Community Safety Officer and Communities & Wellbeing Manager at Arun District Council (ADC) to see if the Town Council would consider entering into a partnership with ADC to set up a Community Warden Scheme in Bognor Regis following a very successful pilot project in Littlehampton. Following liaison with the Chairman, it has been agreed that an Extraordinary Meeting should be held to discuss this proposal in more detail, which has been arranged for Wednesday 29th June 2022 at 6.30pm in the Council Chamber. All Members of the Council will be invited to attend and as the above two items have a correlation then the outcome of this meeting will dictate the necessity to discuss these matters further.

7. APPOINTMENT OF ANY SUB-COMMITTEES/WORKING GROUPS/ TASK & FINISH GROUPS ETC. INCLUDING: -

The Town Clerk's report was **NOTED**.

Joint Consultative Sub-Committee (Staffing)

Members unanimously **RESOLVED** to **APPROVE** the appointments of Cllrs: J. Barrett, J. Brooks, A. Cunard, M. Stanley, Mrs. J. Warr, B. Waterhouse, P. Woodall and the three senior Officers.

8. TO REVIEW TERMS OF REFERENCE AND MAKE ANY RECOMMENDATIONS ON PROPOSED CHANGES TO THE TOWN COUNCIL INCLUDING: -

- **Policy and Resources Committee**
- **Joint Consultative Sub-Committee (Staffing)**
- **To note any recommendations from the Events, Promotion and Leisure Committee made at their meeting on 16th May 2022 (Min. 8 refers) including recommendations regarding the Terms of Reference for the Allotments Sub-Committee**
- **To note any recommendations from the Planning and Licensing Committee made at their meeting on 17th May 2022 (Min. 6 refers)**

The Assistant Clerk's report and relating appendices were **NOTED**. Members attention was drawn to an administrative error within the report, in relation to the Terms of Reference for the Events, Promotion and Leisure Committee. At the meeting held 16th May, Committee Members had actually agreed to defer their review of the Terms of Reference until the next meeting. Therefore, any recommendations regarding the Terms of Reference for the Events, Promotion and Leisure Committee will be reviewed at the Policy and Resources Committee Meeting to be held on 1st August 2022.

The Committee reviewed the Terms of Reference for the Policy and Resources Committee, Joint Consultative Sub-Committee (Staffing), Allotments Sub-Committee and Planning and Licensing Committee and it was **RESOLVED** to **RECOMMEND** to Council that these be adopted with no amendments.

9. TO CONSIDER THE INTERNAL AUDIT REPORTS 2021-2022 (INTERIM AND FINAL)

The Town Clerk's report and Internal Audit Reports 2021-2022 (Interim and Final) were **NOTED**, and Members acknowledged that once again, no significant issues had been raised. Members did note that the minor issue identified in relation to Allotments had been identified by the Internal Auditor, which is currently being investigated by Officers so that this can be rectified.

10. TO WELCOME THE TOWN COUNCIL'S ACCOUNTANTS, MR. D. KEMP, TO PRESENT THE ANNUAL ACCOUNTS FOR THE YEAR 2021/22

The Chairman welcomed Mr. D. Kemp from DCK Accounting Solutions Ltd, Accountant to the Town Council, and invited him to present the Annual Accounts for the year 2021/22.

Mr. Kemp advised Members that the Town Council's income increased slightly, and staff costs had decreased. There had been a significant increase to other expenditure, largely because of the match-funding support to Making Theatre Gaining Skills as the "Lead Accountable Body" in their grant application to the DWP. Reserves had marginally increased with the bank and cash balances going up by approximately the same amount. £44,000 had been invested in fixed assets and the Town Council's borrowing was coming down slowly.

A Member asked whether, following Covid, the Town Council were in receipt of full rental payments, and this was confirmed to be the case by both Mr. Kemp and the Town Clerk.

With no further questions, the Chairman thanked Mr. Kemp for his attendance and input to the meeting. Mr. Kemp offered to stay a while longer to answer any further questions relating to the next Agenda item.

11. ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN (AGAR) FOR YEAR ENDED 31st MARCH 2022 INCLUDING:

The Town Clerk's report and the relating appendices were **NOTED**.

The Chairman asked whether it was necessary for Members to approve each item separately and Mr. Kemp advised that it was recommended practice to do so.

11.1 To review the effectiveness of the system of Internal Control including to formally note the Annual Internal Audit Report for 2021/22 (Page 3 of the AGAR) and to recommend approval to Council

Members **RESOLVED** to formally **NOTE** the Annual Internal Audit Report for 2021/22 (Page 3 of the AGAR) prepared by the Town Council's Internal

Auditor, Mr. S. Pollard from Auditing Solutions Ltd. In addition, Members reviewed the system of internal control procedures as detailed in the Town Clerk's report and unanimously **RESOLVED** to **RECOMMEND** to Council that the systems that the Council has in place are effective.

11.2 To consider and agree the Council's response to each Statement on the Annual Governance Statement for 2021/2022 (Section 1 of the AGAR)

Having considered the Town Clerk's report, Members unanimously **RESOLVED** to **RECOMMEND** answering 'Yes' to statements 1-8, on the Annual Governance Statement, noting that statement 9 was not applicable to the Town Council.

11.3 To Recommend Approval to Council of the Annual Governance Statement for 2021/2022 (Section 1 of the AGAR) and that Section 1 be signed by the Chairman of the meeting approving the Annual Governance Statement and by the Town Clerk

Members unanimously **RESOLVED** to **RECOMMEND** to Council **APPROVAL** of the Annual Governance Statement for 2021/2022 and that Section 1 is signed by the Chairman of the Full Council Meeting approving the Annual Governance Statement, which follows on immediately from this meeting, and by the Town Clerk.

11.4 To consider and Recommend Approval to Council of the Financial Statements for year ended 31st March 2022 and agree that these be signed by the Chairman of the meeting approving the accounts and by the Town Clerk

Members unanimously **RESOLVED** to **RECOMMEND** to Council **APPROVAL** of the Financial Statements for year ended 31st March 2022 and **RESOLVED** that these be signed by the Chairman of the Full Council Meeting approving the Financial Statements, which follows on immediately from this meeting, and by the Town Clerk.

11.5 To consider the Accounting Statements for 2021/2022 (Section 2 of the AGAR)

Members considered the Accounting Statements for 2021/2022 as detailed in Section 2 of the AGAR.

11.6 To Recommend Approval to Council of the Accounting Statements for 2021/2022 (Section 2 of the AGAR) and that Section 2 be signed by the Chairman of the meeting approving the Accounting Statements and noting that these were previously signed by the RFO prior to presentation

Members unanimously **RESOLVED** to **RECOMMEND** to Council **APPROVAL** of the Accounting Statements for 2021/2022 and unanimously **RESOLVED** that Section 2 is signed by the Chairman of the Full Council Meeting approving the Accounting Statements, which follows on immediately from this meeting.

Members further unanimously **RESOLVED** to **NOTE** that the Accounting Statements for 2021/2022 were previously signed by the Responsible Financial Officer (RFO) prior to their presentation to this meeting.

Mr. Kemp left the Meeting

12. TO RECEIVE THE TOWN FORCE REPORT

Cllr. Smith left the Meeting

The Town Force Manager's report was **NOTED**.

Comment was made about the amount of event support required from Town Force over the recent busy Bank holiday weekend, with another weekend ahead that was full of events to be supported. A Member asked whether there was the potential to increase the size of the Town Force team when there is a demand for their services.

The Town Clerk stated that whilst the summer was typically busier for Town Force than winter, the Town Council had recently had to turn away offers of work as Town Force staff resources did not allow for this to be taken on.

Cllr. Smith returned to the Meeting

A Member advised that he had recently volunteered and assisted the team with their workload and had not realised prior to doing so just how busy they are.

With comparisons being made against the loss of income from having to turn down work, and the cost of taking on a seasonal employee, it was therefore requested that consideration of recruiting a seasonal Town Force Member be included on the Agenda for the next Joint Consultative Sub-Committee (Staffing) Meeting.

13. TO RECEIVE THE NOTES OF THE BOGNOR REGIS HERITAGE & ARTS PARTNERSHIP BOARD MEETING HELD ON 23rd MARCH 2022

The Town Clerk's report, including the Notes of the Heritage & Arts Partnership Board Meeting held 23rd March 2022, were **NOTED**.

A Member wished to extend thanks to the Heritage & Arts Partnership Board for the new guide "Bognor Regis and its links to the Monarchy". Comment was made that, as with all of the Trail Guides produced by the Board, these are of high quality and do a good job promoting history and heritage.

Progress on the Heritage & Arts Partnership Board's proposal for a 2-way digital portal with Bognor Regis' Twinned Town was queried and the Clerk offered to ask the Board Chairman for an update.

14. TO RECEIVE THE DRAFT NOTES OF THE MEETING OF THE ARUN DISTRICT ASSOCIATION OF LOCAL COUNCILS HELD ON 17th MAY 2022

The Town Clerk's report, including the Notes of the Meeting of the Arun District Association of Local Councils held on 17th May 2022, were **NOTED**.

15. UPDATE ON CREATION OF A CORPORATE IDENTITY TO FACILITATE AWARENESS OF THE TOWN COUNCIL'S WORK AND SUPPORT IN THE COMMUNITY – MIN. 101 REFERS

The Town Clerk's report including the design brief and proposed draft designs were **NOTED**.

Comment was made by a Member about how important it was that Bognor Regis Town Council have a recognisable corporate identity, akin to the simpler logos used by the District and County Council shown in the report.

All Members were really pleased with the designs presented to them and unanimously **AGREED** to proceed with the creation of a corporate identity to facilitate awareness of the Town Council's work and support in the community. Furthermore, Members unanimously **AGREED** to the design as shown in Appendix 5, that was attached to the report, and **RATIFIED** the minimal cost of £30 for the design work carried out.

16. GRANT AID 2023 INCLUDING:

The Town Clerk's report including the related appendices were **NOTED**.

16.1 To review current guidelines/criteria, application form and amend if required

The proposed changes to the Grant Aid application form were discussed and comment made about how little is known in the community about the contribution that the Town Council makes through Grant Aid funding.

Having agreed to proceed with the creation of a corporate identity earlier in the meeting, it was felt that Question 18 of the Grant Aid application form (attached to the report as Appendix 3) should stipulate that the chosen logo design must be used in any promotional material produced by recipients of Grant Aid awards with electronic or hardcopies sent to the Town Council. It was also proposed that when letters are sent to successful applicants, they be asked to invite the Town Mayor to attend the launch of their event/service.

Members unanimously **APPROVED** the guidelines/criteria and application form, with the amendments proposed within the report including the further suggestion that Question 18 stipulates that the chosen corporate

identity logo design must be used in any promotional material. Furthermore, Members **AGREED** that submission of applications should continue to be on an electronic basis.

16.2 Consideration of date for an Extraordinary Policy and Resources Committee Meeting at which the applications will be considered

Members **AGREED** that an Extraordinary Meeting of the Policy and Resources Committee should be held at 6.30pm on Monday 31st October 2022 at which the applications will be considered.

17. TO CONSIDER A REQUEST TO RETURN TO PAPER COPIES OF AGENDAS AND REPORTS

The Town Clerk's report including the breakdown of relating costs were **NOTED**.

The Chairman informed Members that this request had been made to him and only related to small number of Councillors who struggled to access agendas and reports online.

A Member stated that whilst the standard approach should be for Councillors to access agendas and reports online, they felt that consideration must be given to inclusion and the removal of barriers for those that struggle in this regard.

Members were supportive of the comments made and **AGREED** the following: -

- That the standard approach would be for Councillors to access agendas and reports online but that in exceptional circumstances paper copies would be provided to Councillors that have requested this by emailing the Town Clerk.
- That those Councillors having requested paper copies and agendas and reports collect them from the office by no later than the Thursday prior to the meeting.
- That if having failed to collect paper copies from the office on two occasions, or more, the provision be withdrawn.
- That this provision be on a trial period of four Council Meetings after which time the matter will be reviewed.

The Chairman thanked the Clerk for the work that had gone into this item as it had been useful to have the information to refer to.

18. TO CONSIDER MINOR ADJUSTMENTS TO THE POSTER, BANNER AND OUTDOOR DISPLAY OPPORTUNITIES POLICY AS RECOMMENDED BY THE EVENTS, PROMOTION AND LEISURE COMMITTEE

The Town Clerk's report including a copy of the Policy showing the proposed minor amendments were **NOTED**.

Members **RESOLVED** to **AGREE** the minor adjustments, as detailed in the report, and **APPROVE** the Poster, Banner and Outdoor Display Opportunities Policy.

19. MATCH-FUNDING AWARDS INCLUDING:

The Town Clerk's report was **NOTED**.

19.1 To ratify reduction in award and release of the funds to the Bognor Regis Carnival Association

Members **RESOLVED** to **RATIFY** the decision to reduce the award to £1,270 and the subsequent release of the funds to the Bognor Regis Carnival Association in light of the new information that had been provided.

Cllr. Stanley abstained from voting as he had not been a Committee Member at the time.

19.2 To ratify release of the funds to Southdowns Music Festival 2022

Members **RESOLVED** to **RATIFY** the release of the funds to the value of £5,550 to the Southdowns Music Festival 2022 event following confirmation of their ability to comply with the condition to cover the shortfall for security/stewarding identified within their application from elsewhere.

Cllr. Stanley abstained from voting as he had not been a Committee Member at the time.

19.3 To ratify release of the funds to Rox Music and Arts

A Member queried whether the £4,000 funding was solely intended to cover the cost of Grayson Perry's attendance/appearance (or an alternative TV personality). The Town Clerk did not believe that this was the case but did not have the breakdown of costs that had been supplied by Rox to hand. It was, therefore, **AGREED** to **DEFER** the ratification of the release of these funds to allow for a breakdown of costs to be brought back to the next meeting.

20. TO CONSIDER WHETHER GRANT AID AWARDED TO THE 2020 PRIDE EVENT AND NO LONGER NEEDED, SHOULD BE RETURNED TO GENERAL RESERVES OR REMAIN EARMARKED (MIN. 138.5 REFERS)

Cllr. Stanley redeclared his Ordinary Interest and stated that he would not vote

The Town Clerk's report was **NOTED**.

Cllr. Stanley explained that the Pride Committee comprised of Members that also sat on Committees for other events, and that they had been working on looking at running another event in September 2022 for which they would like the Grant Aid funds awarded to the cancelled 2020 Pride redirected. Therefore, it was proposed and seconded that this item be deferred so that this request could be considered at the next meeting.

Members **AGREED** that the £4,000 grant, awarded to the 2020 Pride event, should remain in Earmarked Reserves to potentially allow for the funds to be used for another event, with the matter **DEFERRED** to the next meeting for further consideration. Cllr. Stanley asked that his abstention be noted.

21. TO NOTE EARMARKED RESERVES AS AT 31st MARCH 2022

The Town Clerk's report, including the appended summary of the Earmarked Reserves as at 31st March 2022, was **NOTED**.

22. FINANCIAL REPORTS INCLUDING: -

22.1 To note Committee I&E Reports for the month of April 2022 - previously copied to Councillors

Members **NOTED** receipt of the financial reports for the month of April 2022.

22.2 To note that verification of bank reconciliations with the Town Council's Current account and Mayor's Charity account for the months of March and April 2022, undertaken by the Chairman of the Policy and Resources Committee in line with the Council's Financial Regulations

The Town Clerk requested that this item be deferred as, owing to recent absence, this had not yet been completed. Members **AGREED** to **DEFER** the noting of the verification of bank reconciliations.

23. CORRESPONDENCE

The Committee **NOTED** receipt of correspondence as detailed in the list previously circulated.

24. TO RESOLVE TO MOVE TO CONFIDENTIAL BUSINESS (S.O. 3d) - (CONTRACTUAL)

The Committee **RESOLVED** that in view of the confidential nature of the business about to be transacted it is advisable in the public interest that the public be temporarily excluded, and they are instructed to withdraw (S.O. 3d) - Agenda items 26 and 28 (contractual).

25. TO NOTE ANY RECOMMENDATIONS FROM THE JOINT CONSULTATIVE SUB-COMMITTEE (STAFFING) MEETING HELD 12th APRIL 2022

The Town Clerk gave a verbal report from the Meeting which was **NOTED**.

25.1 Members **AGREED to **RATIFY** the appointment of a fourth Town Force team Member.**

25.2 Members noted the request received from a staff member for a job regrading and **AGREED** to **RATIFY** that the post holders job description be reviewed in liaison with their Line Manager with a report back to Members in due course if it is felt that an increase in the pay scale is warranted.

26. TOWN FORCE: NOTE OF OUTSTANDING DEBTORS

The Committee **NOTED** the list (confidential).

The Meeting closed at 7.42pm



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MINUTES OF THE EXTRAORDINARY MEETING OF THE POLICY AND RESOURCES COMMITTEE MEETING HELD ON WEDNESDAY 29th JUNE 2022

PRESENT:

Cllr. B. Waterhouse (Chairman); Cllrs: J. Barrett, Mrs. S. Daniells, J. Erskine, S. Goodheart, W. Smith (left during Min. 30), M. Stanley and Mrs. J. Warr

IN ATTENDANCE:

Mrs. G. Frost (Town Clerk)
Mrs. J. Davis (Assistant Clerk)
Mr. D. O'Connor (ADC Community Safety Officer)
Mr. R. Wickham (ADC Group Head of Wellbeing and Communities)
Ms. H. Allen (Bognor Regis Business Improvement District Co-Ordinator)
Cllrs: J. Brooks, S. Reynolds and P. Woodall in the public gallery (part of meeting)
3 members of the public

The Meeting opened at 6.30pm

27. WELCOME BY CHAIRMAN AND APOLOGIES FOR ABSENCE

The Chairman welcomed everyone present and read the Council's opening statement.

Apologies for absence were received from Cllr. A. Cunard owing to work commitments.

The Clerk informed those present that whilst all Town Councillors had been invited to attend this meeting, for those not able to attend, it was not customary for them to give apologies for absence since they are not Members of the Committee.

28. DECLARATIONS OF INTEREST

The Chairman addressed those Members present to ask if they wished to confirm any declarations of Disclosable Pecuniary, Other Registrable and/or Ordinary Interests that they may have in relation to items on this Agenda.

As noted on the Agenda, Members and Officers should make their declaration by stating:

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They then need to re-declare their Interest and the nature of the Interest at the commencement of the item or when the Interest becomes apparent. They should request that it be recorded in the Minutes that they will leave the meeting and will neither take part in discussion, nor vote on the item.

As per the Agenda, it is each Member's own responsibility to notify the Monitoring Officer of all Disclosable Pecuniary, Other Registrable or Ordinary Interests notifiable under the Council's Code of Conduct, not already recorded on their Register of Interests Form, within 28 days.

The Chairman reminded Members to declare their Interests as any arise or again at the relative point in the meeting if they have already.

There were no declarations of Interest

29. ADJOURNMENT FOR PUBLIC QUESTION TIME AND STATEMENTS

The Chairman adjourned the Meeting at 6.32pm

A local business owner, seated in the public gallery, spoke of his confusion about the proposal for Community Wardens and his concerns about any crossover between them and the current Business Wardens scheme in Bognor Regis. In his experience, the Business Warden scheme operated by the Bognor Regis Business Improvement District (BID), with financial support from Bognor Regis Town Council (BRTC), had proved to be a successful service which included intelligence sharing between businesses and the Police. The local business owner felt that there were complex issues to be dealt with in Bognor Regis Town Centre, on a daily basis, and was concerned that Community Wardens would not be as involved with businesses as the Business Wardens are. Should the Town Council go ahead with any funding of the proposed scheme, he hoped that this would not result in cuts to the Business Warden scheme and that he would, in fact, prefer to see any investment go towards further funding for Business Wardens.

A fellow local business owner echoed the comments previously made and was concerned that the introduction of Community Wardens might dilute the current Business Warden scheme. He spoke of the struggles that independent businesses are facing and of the support that the Business Warden scheme provides them. It was suggested that the reasons as to

why it was felt that a Community Warden scheme was needed in Bognor Regis be further investigated, and that these problems be addressed by redirecting the monies involved with the proposal into investing in families that were struggling by way of funding food banks or youth services, for example.

A Member seated in the public gallery spoke in support of the comments so far made and believed that money paid by taxpayers should be given back to the community, as proposed by the previous speaker. Whilst he acknowledged that crimes took place outside of the Town Centre, he believed that the main problems are within.

Cllr. Stanley declared an Ordinary Interest as the manager of a High Street business

Comment was made from the public gallery that this matter would not be under discussion if there was an effective police force, and Councillors were asked to lobby for a better service from them. The Chairman stated that these points had been made to the Sussex Police and Crime Commissioner, Mrs. Katy Bourne, when she had attended a Council Meeting earlier this year.

The Chairman reconvened the Meeting at 6.44pm

30. TO CONSIDER PROPOSAL FOR COMMUNITY WARDEN SCHEME IN BOGNOR REGIS, AS A JOINT INITIATIVE BETWEEN THE TOWN AND DISTRICT COUNCILS

The Town Clerk's report and relating appendices were **NOTED**.

The Chairman welcomed Mr. D. O'Connor and Mr. R. Wickham, from ADC, to the meeting and invited them to speak.

Mr. O'Connor thanked the Town Council for the opportunity to address the Committee and gave a brief introduction to the Community Warden scheme that had launched in Littlehampton in April 2021. It was deemed that the scheme had had a positive impact and ADC, in partnership with Littlehampton Town Council, had subsequently agreed further funding for the continuation of Community Wardens in Littlehampton. ADC officers had now been instructed to see what scope of interest there would be for the same scheme in Bognor Regis.

The Chairman then invited Ms. H. Allen, from Bognor Regis BID, to address the Committee.

Ms. Allen stated that she was happy to answer questions about the existing Business Wardens scheme in Bognor Regis and that, whilst she wouldn't try to influence the Town Council's decision on the proposal before them, she could not support money from the businesses being used to support the Community Wardens scheme. In the last 5 years, during the BIDs first

term, £26,000 of the £36,000 cost for Business Wardens in Bognor Regis has been provided by the BID and they cannot afford to pay any more money to dedicated Town Centre Wardens.

However, Ms. Allen felt that the BID would be in support of Community Wardens if the scheme were to specifically provide Wardens to respond in Hotham Ward and Marine Ward, where the Town Centre sits. Were the Community Warden proposal to go down that route then it was suggested that the BID may be able to provide for 2 days of provision.

Ms. Allen pointed out that Littlehampton does not have a Business Improvement District and those local businesses do not contribute to a scheme that provides for personnel to address crime that affects them. It was her experience that it is imperative for businesses in a Town Centre to share information through reports that Business Wardens act upon and that the Police then respond to.

In closing, Ms. Allen drew attention to the fact that the BID's first term comes to an end on 31st March 2023 and that should the BID not be voted in for a second term then the conversation about Wardens in the Town Centre would most definitely need to be had.

A Member spoke to say that they were not in support of the proposal for a Community Warden scheme in Bognor Regis and felt the money required for the scheme would be better spent on youth provision, for instance. Concern was expressed about the level of funding required and the question asked as to where it would come from. The Chairman responded by saying that the funding required in the proposal would equate to a 7.5% increase in the Precept unless the Town Council made economies elsewhere.

Cllr. Smith gave his apologies and left the Meeting

Mr. O'Connor explained that the proposal being presented to Bognor Regis Town Council was based upon figures from the Littlehampton Community Warden scheme. However, he went on to say that those costs might be different for Bognor Regis when taking into account other schemes, financial constraints etc. Following a question from a Member about how the figure of £150,000 per annum for three Wardens arose, Mr. O'Connor detailed that this comprised of a £28,000 salary for each position, uniforms, significant costs for training, and ongoing budgets, hence this was why ADC believed this to be the sum that was needed.

Upon further discussion comment was made about how the two Warden schemes were similar and yet different, therefore the question should be asked about what was trying to be achieved. If it were to address anti-social behaviour and crime in the Town Centre then there was some doubt as to why three Community Wardens would be needed when the current Business Warden scheme seems to work reasonably well at tackling these issues.

Mr. O'Connor detailed the abilities of the Littlehampton Community Wardens who were accredited and had the power, devolved to them by Sussex Police, to remove alcohol, issue Fixed Penalty Notices, stop cycling, and acquire names and addresses in relation to anti-social behaviour. Whilst the Community Wardens have access to the Disc system (an online information-sharing system that aims to help drive down low-level crime and anti-social behaviour across the UK) they do not add shoplifting reports, or any other reports on behalf of businesses.

It was queried whether there was any evidence of crime reduction in Littlehampton Town Centre since the Community Warden scheme had begun. Mr. O'Connor explained that whilst he did not have that information to hand, he could obtain this data.

Members of the public present at the meeting asked whether ADC were offering to work with partners to develop a bespoke scheme for Bognor Regis. It was suggested that this might include considering contracting an external security service provider, such as SWL, rather than recruiting Wardens on an employment contract. Mr. Wickham stated that it was possible to come up with a bespoke proposal for the scheme in Bognor Regis which could then be presented to the relevant Committee at ADC.

Many Members commented that they were not supportive of the proposal presented for Community Wardens in Bognor Regis in its current form, with some deeming it to be a luxury that could not be afforded and was a duplication of what was already provided courtesy of the Business Wardens. It was largely agreed that a conversation should be had about supporting or enhancing the existing Business Warden scheme, and to potentially develop the aspect of two extra Wardens to be provided by SWL, for example. Following the lengthy debate, it was suggested that BRTC Officers liaise with the BID to understand what is required, in their opinion, with consideration given to the potential that the BID might not be around in 9 months' time and what BRTC would do if that were the case. It was **AGREED** that BRTC Officers, and Ms. Allen, then liaise with ADC Officers about a bespoke service for Bognor Regis.

The Chairman thanked Mr. O'Connor and Mr. Wickham for attending the meeting, which had been very helpful in understanding the proposition, and had encouraged lots of engagement with those present.

The Meeting closed at 7.33pm

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 6 - TO REVIEW TERMS OF REFERENCE AND MAKE ANY RECOMMENDATIONS ON PROPOSED CHANGES TO THE TOWN COUNCIL INCLUDING: -

- **To note any recommendations from the Community Engagement and Environment Committee made at their meeting on 13th June 2022 (Min. 8 refers) including recommendations regarding the Terms of Reference for the Bognor Regis In Bloom Working Group, Beach and Sea Access Topic Team, Youth Provision Steering Group and Climate Emergency Focus Group**

REPORT BY THE ASSISTANT CLERK

FOR DECISION

BACKGROUND

The Council's Terms of Reference for both Council and various Committees are reviewed on an annual basis. Each Committee considers their Terms of Reference at the first meeting after the Annual Town Council Meeting and makes recommendations to the Policy and Resources Committee of any amendments they wish to make. The Policy and Resources Committee consider any amendments and then recommends approval of the Terms of Reference for each Committee to the Council.

Sub-Committee or Working Group/Topic Team Terms of Reference are also considered by the Committee to which they are appointed and referred through to the Policy and Resources Committee for consideration and recommendation to Council in the usual way.

COMMUNITY ENGAGEMENT AND ENVIRONMENT COMMITTEE

A copy of the Community Engagement and Environment Committee Terms of Reference, considered by the Committee at the meeting on 13th June 2022 (Min. 8 refers), with no amendments recommended, is attached for consideration at **Appendix 1**.

There are no further Officer recommendations for amendment.

Members are invited to note that the Terms of Reference for the Bognor Regis In Bloom Working Group (attached at **Appendix 2**) were also considered by the Committee at the meeting with no amendments recommended.

There are no further Officer recommendations for amendment.

Members are invited to note that the Terms of Reference for the Beach and Sea Access Topic Team (attached at **Appendix 3**) were also considered by the Committee at the meeting with no amendments recommended.

There are no further Officer recommendations for amendment.

Members are invited to note that the Terms of Reference for the Youth Provision Steering Group (attached at **Appendix 4**) were also considered by the Committee at the meeting with no amendments recommended.

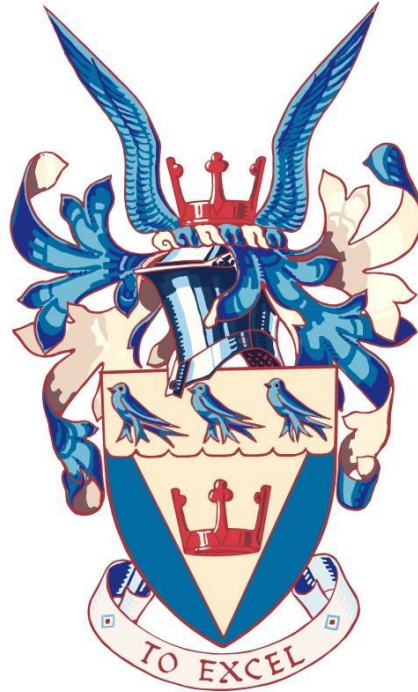
There are no further Officer recommendations for amendment.

Members are invited to note that the Terms of Reference for the Climate Emergency Focus Group (attached at **Appendix 5**) were also considered by the Committee at the meeting with no amendments recommended.

There are no further Officer recommendations for amendment.

DECISION

Members are invited to review the Terms of Reference as detailed in **Appendices 1 to 5** and **RECOMMEND TO COUNCIL** that these be adopted subject to any additions that the Committee may feel appropriate and agreed upon at this meeting.



BOGNOR REGIS TOWN COUNCIL

TERMS OF REFERENCE

COMMUNITY ENGAGEMENT AND ENVIRONMENT COMMITTEE

Adopted by the Council at its Meeting held on **6th September 2021**

BOGNOR REGIS TOWN COUNCIL

TERMS OF REFERENCE: COMMUNITY ENGAGEMENT AND ENVIRONMENT COMMITTEE

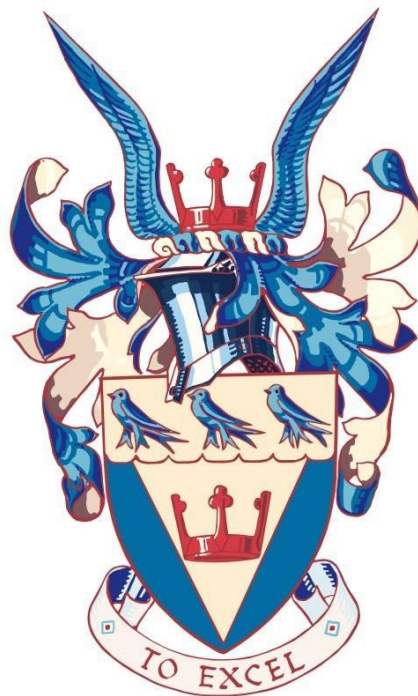
9 Members of the Authority

Quorum = 3

Function of Committee Column 1	Delegation of Functions Column 2
1. Community Engagement	
1.1 To lead and encourage effective local community engagement, ensuring that, embedded throughout the Council and its decision-making processes is a clear understanding of the need to engage with the local community about decisions which affect them. Such thinking to be reflected throughout the implementation of the terms of reference 1 to 8 detailed below.	<ul style="list-style-type: none"> • Committee for strategic overview • Operational management to Town Clerk
1.2 To champion and where possible enable the aspirations/comments/suggestions obtained from the community to have an impact on decision making and the way in which services are being delivered.	<ul style="list-style-type: none"> • Committee for strategic overview
1.3 To promote the social wellbeing of the Town and to facilitate and support local community and voluntary organisations within the framework of our Corporate Strategy	<ul style="list-style-type: none"> • Grants to Policy and Resources Committee • Promotion & other support to Committee/ Town Clerk in accordance with Policy
1.4 To lead the drive for one Bognor Regis engaged community and to take responsibility for the reporting of community engagement with those living and working in the Town.	<ul style="list-style-type: none"> • Committee for strategic overview
1.5 To identify different community sectors of place or interest not already involved in the engagement process to ensure all parts of the community are reached.	<ul style="list-style-type: none"> • Committee for strategic overview
1.6 To organise and facilitate the methods of community engagement for participation by all Members of the Council, tailored to the specifics of the target community sectors when applicable.	<ul style="list-style-type: none"> • Committee for strategic overview • Operational management to Town Clerk
1.7 To organise and facilitate the formation of Topic Teams with focus on specific issues as identified through community engagement.	<ul style="list-style-type: none"> • Committee for strategic overview • Operational management to Town Clerk
1.8 To review outcome from all engagement activities and make suitable recommendations to Council or Committee with reference to the Corporate Strategy.	<ul style="list-style-type: none"> • Committee for strategic overview • Operational management to Town Clerk
1.9 To regularly assess the delivery of engagement to identify strengths and weaknesses and required resources from within the Council to ensure effective engagement.	<ul style="list-style-type: none"> • Committee for strategic overview • Operational management to Town Clerk
2. Environment	
2.1 To promote the environmental wellbeing of the Town	<ul style="list-style-type: none"> • Committee under the direction of Council • Town Clerk for operational matters
2.2 Issues involving ancient monuments & areas of archaeological interest	<ul style="list-style-type: none"> • Strategic overview to Committee • Operational management to Town Clerk
2.3 To approve & action any Environmental Audits	<ul style="list-style-type: none"> • Committee within budget • Town Clerk to initiate audit
2.4 To promote environmental awareness	<ul style="list-style-type: none"> • Committee to approve programme within budget
2.5 To lead on sustainability and transition for the Town	<ul style="list-style-type: none"> • Committee within budget
2.6 To lead the duty to consider the conservation of biodiversity	<ul style="list-style-type: none"> • Strategic overview to Committee

when undertaking all Council functions. Natural Environment and Rural Communities Act 2006, s40	<ul style="list-style-type: none"> Operational management to Town Clerk
3. Environmental & Public Health 3.1 Power to utilise well, spring or stream to provide facilities for water supply, Public Health Act 1936, S125 3.2 Power to deal with ponds & ditches, Public Health 1936, S260 3.3 To liaise with the relevant authorities in cases of public health/ environmental nuisance, drainage matter, pollution, animal welfare issue, 3.4 To make observations on any public health/ environmental licence or registration application (other than under the Licensing Act) 3.5 Waste & recycling	<ul style="list-style-type: none"> Strategic overview to Committee Operational management to Town Clerk Power to Committee Petitions to Committee Town Clerk in other cases Committee Town Clerk in consultation with Chairman in cases of urgency Strategic overview to Committee Operational management to Town Clerk
4. Personal Health 4.1 To work with partner organisations to improve the health of people in the Town 4.2 To improve access to services which can contribute to health 4.3 To promote healthy living 4.4 Contribute to the development of and co-ordination of NHS services	<ul style="list-style-type: none"> Committee for strategic overview Town Clerk for operational management Committee for strategic overview Town Clerk for operational management Committee for strategic overview Town Clerk for operational management Committee for strategic overview Town Clerk for operational management
5. Children and Young People 5.1 Support public and community services and facilities for the young 5.2 Co-ordinate the involvement of children and young people in decision making 5.3 Support to children and young people in their communities	<ul style="list-style-type: none"> Committee within Policy and Budget Committee within Policy and Budget Committee within Policy and Budget
6. Public Realm & Public Facilities 6.1 Provision of litter receptacles, Litter Act 1983, S5&6 6.2 Provision and maintenance of street furniture and signs 6.3 Matters relating to street cleaning, litter, fly posting, graffiti, including fixed penalty notices (adoptive). Dog Control Orders, Clean Neighbourhoods & Environment Act 2005 6.4 Power to provide & maintain public conveniences, Public Health Act 1936, s87, including partnerships for community provision. 6.5 Power to provide baths & washhouses under Secs 221, 222, 223 & 227 of Public Health Act 1936 6.6 To promote and support floral and planting Initiatives, Local Government Act 1972. s 144	<ul style="list-style-type: none"> Committee Strategic overview within budget to Committee Operational management to Town Clerk Strategic overview to Committee Operational management to Town Clerk Strategic overview to Committee within budget & policy Operational Management to Town Clerk Committee for strategic overview Town Clerk for operational management Committee under the direction of Council Operational management to Town Clerk

7. Clocks	
7.1 Power to provide & contribute to public clocks, Parish Councils Act 1957, S2	<ul style="list-style-type: none"> Operational management to Town Clerk
8. Heritage	
8.1 To directly or indirectly conserve the cultural heritage of the Town.	<ul style="list-style-type: none"> Strategic overview to Committee within budget & policy Operational Management to Town Clerk
8.2 To manage, preserve & promote the use of the Town's historic records, artefacts & treasures, Local Government (Records) Act 1962, ss1 and 4	<ul style="list-style-type: none"> Strategic overview to Committee within budget & policy Operational Management to Town Clerk
9. To support home safety initiatives in the town	<ul style="list-style-type: none"> Committee under the direction of Council
10. Flexible Community Fund	
10.1 To administer the Council's Flexible Community Fund in accordance with Policy	<ul style="list-style-type: none"> Committee
10.2 To approve grants within the approved budget and Policy	<ul style="list-style-type: none"> Committee



BOGNOR REGIS TOWN COUNCIL

TERMS OF REFERENCE

BOGNOR REGIS IN BLOOM

WORKING GROUP

Adopted by the Council at its Meeting held on **6th September 2021**

BOGNOR REGIS TOWN COUNCIL

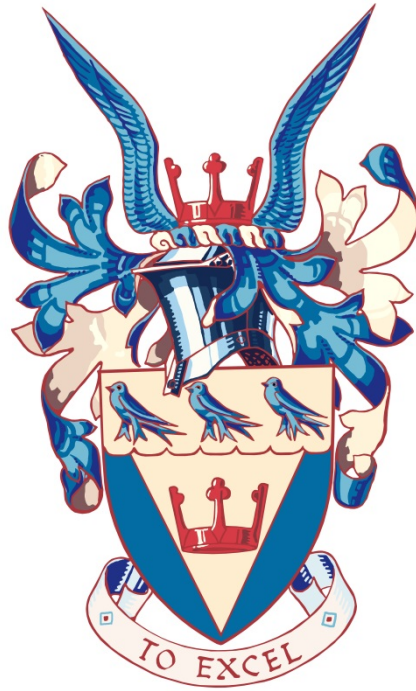
TERMS OF REFERENCE: BOGNOR REGIS IN BLOOM WORKING GROUP

This is a Working Group of the Community Engagement and Environment Committee

6 Members of the Authority and co-opted Members

Quorum = 3

Function of Working Group Column 1	Delegation of Functions Column 2
1 The In Bloom Working Group is responsible for the promotion and planning of the Bognor Regis in Bloom competition and the application including the portfolio, planning and promotion for Bognor Regis' entry to South and South East in Bloom.	
2 The Working Group will deal under delegated powers with the following specific decision-making issues within the budget and policies approved by the Community Engagement and Environment Committee.	
Bognor Regis In Bloom Competition (i) Promote the competition through the media and other methods (ii) Collate, plan and judge all entries received at the office (iii) Organise presentation evening, awards and certificates	<ul style="list-style-type: none"> • Working Group within Budget • Working Group within Budget • Working Group within Budget
South & South East in Bloom Competition (i) Collate material over the year for inclusion in the portfolio (ii) Complete application to competition and representatives of the Working Party to attend seminars and presentations (iii) Promote South & South East in bloom through media, schools and other organisations. (iv) Organise planting competitions (v) Liaise with BRTC and ADC on planting programs / projects planned for year (vi) Plan route and itinerary for judging day (vii) Organise planting displays at national events to promote the town of Bognor Regis	<ul style="list-style-type: none"> • Working Group within Budget • Working Group within Budget • Working Group within Budget • Working Group within Budget • Working Group within Budget • Working Party within Budget • Working Group within Budget



BOGNOR REGIS TOWN COUNCIL

TERMS OF REFERENCE

BEACH & SEA ACCESS

TOPIC TEAM

Adopted by the Council at its Meeting held on **6th September 2021**

BOGNOR REGIS TOWN COUNCIL

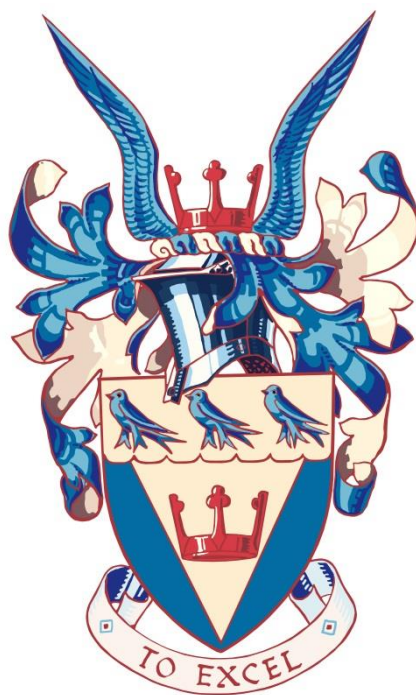
TERMS OF REFERENCE: BEACH & SEA ACCESS TOPIC TEAM

This is a Topic Team of the Community Engagement and Environment Committee

Committee Membership: Cllrs: Barrett, Brooks and Mrs Warr, Bognor Regis Town Council Projects Officer, interested stakeholders and members of the public.

Quorum = n/a

Function of the Topic Team Column 1	Delegation of Functions Column 2
1.To investigate means of achieving pedestrian and ambient-disabled access over and/or through the stones to the sand and shoreline and to work with members of the community to bring about the same	Topic Team to make recommendations to Community Engagement and Environment Committee
2.To work with Arun District Council, Officers, Engineers the Foreshore Office and other Partners and Agencies to determine the viability of any proposals and have representation on any ADC Project Team	Topic Team to make recommendations to Community Engagement and Environment Committee
3.To investigate possible funding streams for installation of any successful proposal	Topic Team to make recommendations to Community Engagement and Environment Committee
4.To refer any programme and budgets to the Community Engagement and Environment Committee with a recommendation to the Policy and Resources Committee for any budget required to deliver the programme	Topic Team to make recommendations to Community Engagement and Environment Committee
5.To promote the potential benefits that can be gained through partnership collaboration to all the community, as well as the economic growth impact to the town and the enhancement of regeneration through a successful outcome	Topic Team to make recommendations to Community Engagement and Environment Committee
6. To give consideration to any latest developments as they arise	Topic Team to make recommendations to Community Engagement and Environment Committee



BOGNOR REGIS TOWN COUNCIL

TERMS OF REFERENCE

YOUTH PROVISION

STEERING GROUP

Adopted by the Council at its Meeting held on **6th September 2021**

BOGNOR REGIS TOWN COUNCIL

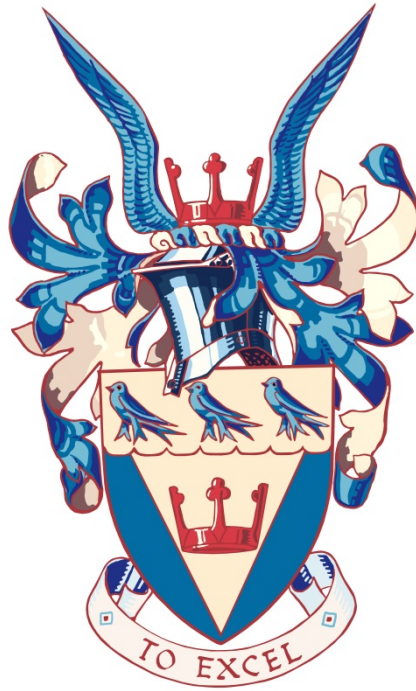
TERMS OF REFERENCE: YOUTH PROVISION STEERING GROUP

This is a Steering Group reporting to the Community Engagement and Environment Committee

Membership: The Chairman of Bognor Regis Town Council Community Engagement and Environment Committee, Bognor Regis Town Council Projects Officer, Representatives from Youth Providers within Bognor Regis and the wider area

Quorum = n/a

Function of Steering Group Column 1	Delegation of Functions Column 2
<ol style="list-style-type: none">1. To consult with youth providers within Bognor Regis and the wider area2. To encourage collaborative working where possible and to share best practises3. To liaise with statutory bodies to undertake a multi-agency approach towards safeguarding young people and where necessary signpost to the correct authority	<ul style="list-style-type: none">• Steering Group to make recommendations to Community Engagement and Environment Committee on all functions



BOGNOR REGIS TOWN COUNCIL

TERMS OF REFERENCE

CLIMATE EMERGENCY FOCUS GROUP

Adopted by the Council at its Meeting held on **6th September 2021**

BOGNOR REGIS TOWN COUNCIL

TERMS OF REFERENCE: CLIMATE EMERGENCY FOCUS GROUP

This is a Focus Group of the Community Engagement and Environment Committee

Committee Membership: Cllrs: Barrett, Brooks and Mrs. Warr, Bognor Regis Town Council Projects Officer, interested stakeholders and members of the public.

Quorum = N/A

Function of Focus Group Column 1	Delegation of Functions Column 2
1.To investigate means of tackling Climate Change within the 5 wards of Bognor Regis	Topic Team to make recommendations to Community Engagement and Environment Committee
2.To work with all tiers of Government, Businesses, Stakeholders and Members of the Public towards achieving short, medium and long-term goals and objectives	Topic Team to make recommendations to Community Engagement and Environment Committee
3.To investigate possible funding streams for the delivery of any successful proposal	Topic Team to make recommendations to Community Engagement and Environment Committee
4.To refer any programme and budgets to the Community Engagement and Environment Committee with a recommendation to the Policy and Resources Committee for any budget required to deliver the programme	Topic Team to make recommendations to Community Engagement and Environment Committee

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 7 - TO RECEIVE THE TOWN FORCE REPORT

REPORT BY THE TOWN FORCE MANAGER

FOR INFORMATION

Mobile Elevating Work Platforms (MEWP) Licence.

It has recently come to light that a licence is required to place mobile lifting apparatus on a public highway. This includes private streets where the public have a right of access. The cost of a MEWP licence is currently £109.10 for a ten-day period. A meeting was held with the WSCC Highways Manager where it was pointed out by the Town Force Manager how difficult it would be for Town Force to implement this due to the considerable waiting time following submission of an application to WSCC. It was also emphasised that there would be a substantial cost to the taxpayer. Negotiations with WSCC Highways are ongoing and it is hoped that the fee will be waived, and a long-term licence issued.

In view of the above, use of the cherry picker has been temporarily restricted to emergencies only. Regrettably, this also means that there will be no cherry picker hire for the foreseeable future (unless located on private land).

Skill Mill Ltd.

Partnership with the Skill Mills Ltd. has been a success. Their assistance came at the time when Town Force struggled with a heavy workload and it is thanks to their help, that the team was able to catch up. Jobs carried out included:

- grass cutting and strimming of roundabouts.
- working at the allotments: strimming, hedge cutting, plot clearance inc. flytipping, fixing leaking taps.
- painting of all 3 subways (with WSCC permission).

The cohort will once again join Town Force after their Annual Leave at the beginning of August.

Staffing.

A student from Ormiston Six Villages Academy joined the team for a week of work experience.

Two members of staff successfully passed the IPAF cherry picker course and are booked onto the relevant units of the NRSWA course in August and September.

Horticultural activities.

Due to the prolonged absence of rain, much of Town Force's time is taken up by watering floral sites. This includes areas with shrubs, not just bedding plants. Some bedding, especially surfinia, has been lost due to the intense heat and had to be replaced with more drought tolerant bedding plants.

The seafront beds which are planted up with the winning Girlguides designs, and therefore limited on the choice of plants, are not looking their best and pulling out of the bedding plants is being considered.

Winter bedding will be ordered within the next few weeks.

Sponsored planters.

EMS did not renew their sponsorship agreement as they wished to relocate to a site along the Felpham Relief Road where sponsorship sites are managed by WSCC.

A decision is currently awaited from Southernbrook Lettings Ltd. about the future of their sponsorship of 3 planters.

WSCC Highways have requested that the LuvSweeties sign on the Shripney Road central reservation is moved as it is causing an obstruction to their mobile speed camera. Following an on-site meeting, a new location was agreed and permission from the sponsor secured. WSCC Highways will relocate the sign in the next few weeks.

Vacant planters: Upper Bognor Road/Felpham Way planter, Chichester Road planter, A29 / Orchard Way planter, 2 x Durban Road planters.

Graffiti Removal.

Once again, there has been an increase in graffiti levels, with new incidents re-appearing as soon as removed. Especially in hotspots such as Hotham Park, Fitzleet car park and all 3 subways where graffiti re-appeared within 2 days of the subways being re-painted by Skill Mill.

It is unfortunate that to the members of the public, it looks like the graffiti is not being dealt with. The table below details time spent on graffiti removal in the last 6 months:

Month	Man hours
Up to 18 July	24.25
June	37.5
May	3.75
April	50.25
March	81
February	44
January	27.25

Seafront decking areas x 3.

Two out of the three decks are buried under the shingle and require a digger to clear. This has previously been automatically done by Arun DC during the annual beach grading. Request for clearance was put to Arun DC at the end of May and again last week.

Events Support.

Town Force supported the Armed Forces Day, Rotary Day in Hotham Park, Town Crier Competition, Drive Through Time and Hampshire Avenue Fun Days.

Odd Jobs completed for 3rd parties (extra revenue).

- Arun DC – paint spillage removal from a play area;
- A resident – Graffiti removal from a garden fence;
- Falcon Homes – Provision of cherry picker and qualified operator;
- Regis School – Provision of crowd barriers;
- Museum – Bunting and golden key installation using the cherry picker;
- Picturedrome – Weed removal;
- BR BID – Removal of lamppost wraps with Covid messaging.

Examples of other jobs.

In addition to the routine jobs, Town Force have also put up/removed posters from seafront shelters, fixed BRTC flagpole, adjusted timer on the Town Hall balcony lights, fitted new valves to three seafront showers, serviced BRTC noticeboards (and continue to do so) and completed a variety of jobs at the allotments.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

**AGENDA ITEM 8 - TO NOTE THE JOINT ACTION GROUP (JAG) MEETING
HELD ON 16th JUNE 2022**

REPORT BY THE ASSISTANT CLERK

FOR DECISION

After being put on hold during Covid-19, the Arun Joint Action Group (JAG) is reforming, albeit in a slightly amended format following a review of the group's function. The Projects Officer attended the inaugural meeting held on 16th June 2022 at which the Terms of Reference for the Group were agreed.

The focus is of a joint approach to reducing local anti-social behaviour and crime issues across Arun and is very much about two-way communication between Arun District Council, Sussex Police and town/parish councils, representing local communities.

Utilising information about what is of concern to residents, JAG will be able to identify place-based community safety issues and formulate actions to tackle them. It is then a joint effort to provide effective feedback to communities. The forum will not just be about statutory agencies telling attendees what they are working on but must be about undertaking action and achieving outcomes.

JAG membership will comprise of officers from a range of statutory and non-statutory agencies, voluntary and community organisations, to represent the needs and concerns of residents within the Arun district. The group is co-chaired by Sussex Police (Neighbourhood Policing Team) and Arun District Council (Community Safety) and meetings will be held six-weekly.

DECISION

Members are invited to **NOTE** the Joint Action Group (JAG) Meeting held on 16th June 2022.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 9 - TO RECEIVE AND IF ACCEPTABLE RECOMMEND TO THE COUNCIL THE ADOPTION OF REVISED STANDING ORDERS, TOGETHER WITH FINANCIAL REGULATIONS AND STANDING ORDERS FOR CONTRACTS INCLUDING RECOMMENDED AMENDMENTS AS A RESULT OF CHANGES TO PROCUREMENT RULES

REPORT BY TOWN CLERK

FOR DECISION

The Council normally undertake a light touch review of its three governing policy documents annually, however a more fundamental review becomes necessary less frequently, very often due to legislative changes. Such a review is now appropriate because of Brexit and the associated changes to the public procurement rules.

I have worked with Pete Cooper, an associate consultant with DCK Accounting Solution, who has previously helped us with these documents. We have taken the opportunity not only to amend the procurement sections but to update other sections where necessary in accordance with NALC guidance whilst continuing to tailor them to the needs of Bognor Regis Town Council.

The recommended changes to each draft document are set out in red so that Members can readily identify them.

Standing Orders – Appendix 1

In February 2020, Committee recommended a change of structure to the latest style used in the 2018 NALC model. NALC have now issued a further updated model (2022) which reflects the changes to procurement rules and links to their specific guidance on procurement. In addition, a number of minor changes are recommended for clarification purposes.

Standing Orders for Contracts – Appendix 2

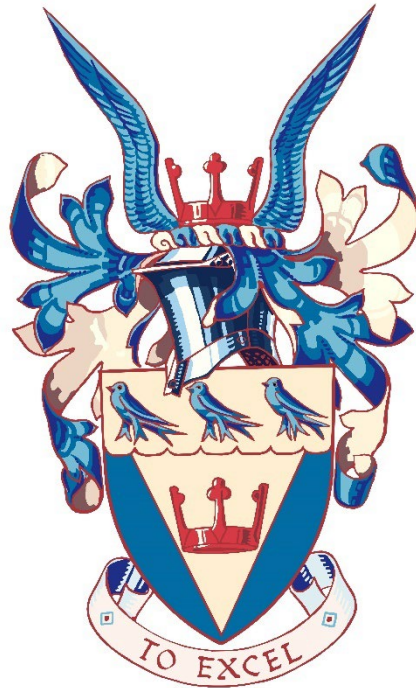
Standing Orders for Contracts were first adopted in 2015 and have received light touch amendments on occasions since then. These are changed by the revised procurement rules which are now explained in more detail.

Financial Regulations – Appendix 3

NALC have not updated its model Regulations since 2019 and so the draft has been amended in accordance with their procurement guidance along with other minor updates and clarifications.

DECISION

Do Members **AGREE** to **RECOMMEND** to Council amendments to the Standing Orders, Standing Orders for Contract and Financial Regulations as set out in the appended draft documents?



BOGNOR REGIS TOWN COUNCIL STANDING ORDERS

Adopted by the Council at its Meeting held on **5th September 2022**

INTRODUCTION

A Town Council is generally not required by law to make Standing Orders which regulate how they conduct their business, **except with respect to the making of contracts for the supply of goods or materials or for the execution of works**. However, the basic provisions in the 1972 Local Government Act (and other legislation) are insufficient for the majority of Town Councils and Standing Orders are therefore necessary for regulating the practical arrangements to give effect to statutory requirements.

Standing Orders are the written rules of a local Council **and** 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.

These Standing Orders have been drafted using the model document published by the National Association of Local Councils (NALC) **in April 2022** as a basis.

These Standing Orders were adopted by Council on **5th September 2022**, and replace all previous versions.

Any part of the Standing Orders printed in **bold type** may not be suspended (see Standing Order 26a), **as they contain legal and statutory requirements**.

In these Standing Orders the title of Chairman of the Council and Vice-Chairman of the Council when referring to meetings of the Full Council, denotes reference to the Mayor and Deputy Mayor.

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1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- b No discussion shall take place upon the Minutes of the Council except upon their accuracy. Corrections to the Minutes shall be made by Resolution and must be initialled by the Chairman of the meeting.
- c A Motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- d A Motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- e 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.
- f An amendment is a proposal to remove or add words to a Motion. It shall not negate the Motion.
- g 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.
- h An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
- ~~i A Member may, with the consent of his/her seconder move amendments to his/her own Motion.~~

A Councillor may move an amendment to his own motion if agreed by the meeting and if it has been seconded, with the consent of the seconder and the meeting.
- j If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman of the meeting.
- k Subject to Standing Order 1(l), only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- l One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- m A Councillor may not move more than one amendment to an original or substantive motion.
- n The mover of an amendment has no right of reply at the end of debate on it.
- o 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.

- p Unless permitted by the Chairman of the meeting, a Councillor may speak once in the debate on a Motion except:
 - i. to speak on an amendment moved by another Councillor;
 - ii. to move or speak on another amendment if the Motion has been amended since he/she last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- q 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 he/she considers has been breached or specify the other irregularity in the proceedings of the meeting he/she is concerned by.
- r A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- s 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.
- t Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.
- u Excluding motions moved under Standing Order 1(s), the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed TWO minutes without the consent of the Chairman of the meeting except for the mover or seconder of the motion whose speech may not exceed THREE minutes.

- v The mover of an original motion (but not an amendment) shall have a right of reply, not exceeding FIVE minutes, immediately before the motion is put to the vote. [see 1n]

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting, behave offensively or improperly or in such a manner as to breach the Council's Code of Conduct or bring the Council in to disrepute. If this Standing Order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, the Chairman 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 Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings
Committee meetings
Sub-Committee meetings

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**
- 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 Meetings of the Council shall normally be held in the Council Chamber of the Town Hall at 6.30 p.m. on Mondays every two months after the Statutory Annual Meeting of the Council or, if this is a Public Holiday, on the Tuesday after (the next day) or the following Monday, as the Town Mayor shall determine in consultation with the Town Clerk. The 6.30 p.m. start shall normally also apply to Council Committees where possible.
- f The period of time designated for public participation at a meeting in accordance with Standing Order 3(h) shall not exceed FIFTEEN minutes. Similar

arrangements will apply at Committees except the Community Engagement and Environment Committee as noted in Standing Order 3(g).

- g A period of time designated for public participation not exceeding SIXTY minutes shall be allowed for meetings of the Community Engagement and Environment Committee only.
- h During the time designated for public participation, a Member of the public or Councillor not serving on the Committee, can ask questions or make statements, provided that if there are insufficient questions/statements to fill the FIFTEEN minutes (or SIXTY minutes at meetings of the Community Engagement and Environment Committee - see (g) above), the Council will commence business forthwith. Priority will be given to those who have submitted questions in writing in advance. Questioners must give their name before stating their question and may speak for up to a maximum of TWO minutes each or FIVE minutes if speaking on behalf of a group or organisation. The meeting will be formally adjourned during such period. Councillors who are appointed to a Committee are not permitted to speak under the Agenda item designated for public participation at meetings for the said Committee.
- i In accordance with Standing Order 3(h), a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- j A person shall raise his/her hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman of the meeting may at any time permit a person to be seated when speaking.
- k A person who speaks at a meeting shall direct his/her comments to the Chairman of the meeting.
- l Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
- m Whenever the Town Mayor rises during a debate all other Members shall be seated and silent.
- n **Subject to Standing Order 3(o), 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. The Council will also take steps to ensure that children, the vulnerable and Members of the public who object to being filmed are protected without undermining the broader purpose of the meeting.**
-

- o A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- p 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.
- q Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman **of a meeting may** in his/~~her~~ absence be done by, to or before the Vice-Chairman of the **meeting**.
- r The Chairman of the **meeting**, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the **meeting** (~~if there is one~~) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- s In the event of the Chairman or Vice-Chairman, as the case may be, arriving after the commencement of the meeting, the Vice-Chairman or other Councillor appointed pro tem shall vacate the chair and the Chairman or Vice-Chairman, as the case may be, shall thereupon preside.
- t 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.
- u The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote whether or not he/she gave an original vote.

See Standing Orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the Annual Town Council Meeting.

- v Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands or, if at least TWO Members so request, by signed ballot. **At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question.** Such a request must be made before the vote is taken.

- w The minutes of a meeting, whilst not a verbatim record of debate at 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 and the reason for the absence;
 - 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;
- vii. the Resolutions made; and
- viii. The details of the recorded vote, if this has been requested by a Member at that meeting (see Standing Order 3v).

● x **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/her right to participate and vote on that matter.**

● y **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. The quorum is therefore 6.~~**

See Standing Order 4d(vi) for quorum of Committee/Sub-Committee meeting.

● z **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. This applies to all meetings except for those of the Planning and Licensing Committee where the agreed process for delegation of the comments on statutory planning application consultations to be submitted is followed.

aa All meetings must conclude within TWO hours of starting, except the Community Engagement and Environment Committee which may be extended to TWO and a HALF hours. This time limit may be extended for any meeting by a maximum of FIFTEEN minutes for the conclusion of urgent business. Any business not completed within the set time frame would need to be referred to the next meeting.

4. COMMITTEES AND SUB-COMMITTEES

a **Unless the Council determines otherwise, a Committee may appoint a Sub-Committee whose Terms of Reference and Members shall be determined by the Committee.**

b **The Members of a Committee may include non-Councillors unless it is a Committee which regulates and controls the finances of the Council.**

c **Unless the Council determines otherwise, all the Members of an advisory Committee and a Sub-Committee of the advisory Committee may be non-Councillors.**

d The Council may appoint Standing Committees or other Committees as may be necessary, and:

- i. shall determine their Terms of Reference upon recommendation from the Policy and Resources Committee;
- ii. shall determine the number and time of the ordinary meetings of a Standing Committee up until the date of the next Annual Town Council Meeting;
- 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. Committee Chairmen and Vice-Chairmen shall be appointed at the Annual Town Council Meeting and they shall hold office until the next Annual Meeting Town Council Meeting;
- vi. 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;
- vii. 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; **[nb. The public and press are legally entitled to attend if the Sub-Committee has decision making powers.]**
- viii. shall determine if the public may participate at a meeting of a Sub-Committee that they are permitted to attend;
- ix. may dissolve or alter the Membership of a Committee or a Sub-Committee;
- x. shall ensure that the political composition of, and the total number of places on, Committees fairly and as accurately as possible reflects the political composition of the Full Council;
- xi. The Town Mayor and Deputy Town Mayor ex officio shall be Members of the Policy and Resources Committee;
- xii. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of Members in contracts and other matters shall apply to Committee and Sub-Committee meetings. With the agreement of the Committee, the Chairman of each Committee shall have discretion as to whether Members may speak on a subject more than once and as to how many times;
- xiii. A Member who has proposed a **m**otion that has been referred to any Committee, of which he/she is not a Member, may explain her/his **m**otion to the Committee but shall not vote.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the Annual Town Council Meeting shall be held on a Monday 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 Town Council Meeting shall be held on a Monday in May as the Council decides.**
- c **If no other time is fixed, the Annual Town Council Meeting shall take place at 6pm.**

- d In addition to the Annual Town Council Meeting, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides. See 3e for policy on number of ordinary Council meetings.
- e The first business conducted at the Annual Town Council Meeting shall be the election of the Chairman and Vice-Chairman ~~(if there is one)~~ of the Council.
- f The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the Annual Town Council Meeting until his/her successor is elected at the next Annual Town Council Meeting.
- g The Vice-Chairman of the Council, ~~if there is one,~~ unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Town Council Meeting.
- h In an election year, if the current Chairman of the Council has not been re-elected as a Member of the Council, he/she shall preside at the Annual Town Council Meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chairman of the Council has been re-elected as a Member of the Council, he/she shall preside at the Annual Town Council Meeting until a new Chairman of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.
- j It is a convention of the Council that the Deputy Mayor (Vice Chairman) in any year shall, unless he/she resigns, becomes disqualified or is not re-elected as a Councillor, be put forward by Council as Mayor for the following year.
- k Council will also recommend a Councillor to become the new Deputy Mayor for the following year.
- l Following the election of the Chairman of the Council and Vice-Chairman ~~(if there is one)~~ of the Council at the Annual Town Council Meeting, the business shall include:
 - i. In an election year, delivery by the Chairman of the Council, Vice-Chairman, and Councillors of their Acceptance of Office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council and Vice Chairman of his/her Acceptance of Office form unless the Council resolves for this to be done at a later date;
 - ii. To receive apologies for absence and reasons for absence;
 - iii. To receive the Minutes of the last meeting of Council and after consideration to approve the signing of the Minutes by the person presiding

as a correct record; to receive the Minutes of the Committees and Sub-Committees provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read;

- iv. To receive any declarations of interest or dispensations;
 - v. Consideration of the recommendations made by a Committee;
 - vi. Review of delegation arrangements where appropriate;
 - vii. Review of the Terms of Reference for Council and Committees/Sub-Committees when appropriate;
 - viii. Appointment of Members to existing Committees together with appointment of the Chairman and Vice-Chairman of the Committees;
 - ix. Appointment of any new Committees in accordance with Standing Order 4;
 - x. Review and adoption of appropriate Standing Orders and Financial Regulations;
 - xi. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
 - xii. Review of representation on or work with outside bodies and arrangements for reporting back;
 - xiii. In an election year, to make arrangements with a view to the Council becoming eligible or continuing to be eligible to exercise the General Power of Competence in the future;
 - xiv. Review of inventory of land and other assets including buildings and office equipment;
 - xv. Review of the Council's and/or staff subscriptions to other bodies;
 - xvi. To review any governance documents, policies, procedures and insurances as necessary;
 - xvii. Determining the time and place of ordinary meetings of the Council up to and including the next Annual Town Council Meeting.
- m All Members are requested to give consideration to their attire when attending Council meetings including the Annual Town Council Meeting and dress appropriately.
- n A Member may ask the Town Mayor any question concerning the business of the Council, provided notice of the question has been given in writing to the Town Clerk by 9 a.m. on the Monday morning prior to the meeting.
- o No question not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- p Every question shall be put by the Councillor who has submitted the question. This shall be read verbatim without any alteration from the originally submitted

question. The question shall be answered by the Mayor without discussion, who may decline to answer or may indicate that they will reply in writing subsequent to the meeting.

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

- a **The Chairman of the Council may convene an Extraordinary Meeting of the Council at any time.**
- b **If the Chairman of the Council does not 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 Chairman of a Committee or a Sub-Committee may convene an Extraordinary Meeting of the Committee or the Sub-Committee at any time.
- d If the Chairman of a Committee or a Sub-Committee does not call an Extraordinary Meeting within two days of having been requested to do so by two Members of the Committee or the Sub-Committee, any TWO Members of the Committee or the Sub-Committee may convene an Extraordinary Meeting of the Committee or a Sub-Committee. The summons for the Extraordinary Meeting shall set out the business to be considered and no other business shall be transacted at that meeting.

7. PREVIOUS RESOLUTIONS

- a A Resolution shall not be reversed within six months except either by a special **m**otion, which requires written notice by at least FOUR Councillors to be given to the Proper Officer in accordance with Standing Order 9, or by a **m**otion moved in pursuance of the recommendation of a Committee or a Sub-Committee.
- b When a **m**otion 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 Chairman of the meeting.

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

- a A **m**otion 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. If the subject matter of a **m**otion comes within the province of a Committee of the Council, it shall, upon being moved and seconded,

stand referred without discussion to such Committee or to such other Committee as the Council may determine for report; provided that the Town Mayor, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

- b No **m**otion 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 6 clear days not later than the Monday in the week before the next meeting of the Council.
- c The Proper Officer may, before including a **m**otion on the agenda received in accordance with Standing Order 9(b), correct obvious grammatical or typographical errors in the wording of the **m**otion.
- d If the Proper Officer considers the wording of a **m**otion received in accordance with Standing Order 9(b) is not clear in meaning, the **m**otion shall be rejected until the mover of the **m**otion resubmits it, so that it can be understood, in writing, to the Proper Officer at least six clear days before the meeting.
- e If the wording or subject of a proposed **m**otion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the **m**otion shall be included on 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 **m**otions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct a factual inaccuracy in the unconfirmed minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a **m**otion;
 - iv. to refer a **m**otion 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.**
- e A Member of the Council may for purposes of his/her duty as such Member, but not otherwise, inspect any document which has been considered by a Committee or Sub-Committee or by the Council. Provided that a Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he/she is professionally interested or in which he/she has any Disclosable Pecuniary Interest. This Standing Order shall not preclude the Town Clerk to the Council from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.

12. UNCONFIRMED MINUTES

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

- a If the unconfirmed 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 unconfirmed minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the unconfirmed minutes shall be moved in accordance with Standing Order 10(a)(i).
- c The accuracy of unconfirmed minutes, including any amendment(s) made to them, shall be confirmed by Resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish unconfirmed minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place. The Council has resolved to do this.**
- e Subject to the publication of unconfirmed minutes in accordance with Standing Order 12(d) and Standing Order 20(a) and following a Resolution which confirms the accuracy of the minutes of a meeting, the unconfirmed 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(x).

- a All Councillors and non-Councillors with voting rights shall observe the Code of Conduct adopted by the Council.
- b Unless he/she has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a Disclosable Pecuniary Interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- c Unless he/she has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has another interest if so required by the Council's Code of Conduct. He/she may return to the meeting after it has considered the matter in which he/she 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 a meeting of the Council, or by the Proper Officer in accordance with the Council's Scheme of Delegation 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

- a Upon notification by the District Council that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Proper Officer shall, subject to Standing Order 11, report this to the Council.
- b Where the notification in Standing Order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff Member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 14(d).
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against him, based on the recommendations of the Monitoring Officer or District Council's Standards Committee. Such action excludes disqualification or suspension from office.**

15. PROPER OFFICER

- a The Proper Officer shall be either (i) the Town 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. Subject to Standing Order 9, include on the agenda all motions in the order received unless a Councillor has given written notice at least 3 day before the meeting confirming his/her withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his/her office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from Councillors;
- vii. hold and make available for inspection, a copy of every Councillor's register of interests and to forward a copy, and any changes to it, to the Monitoring Officer and appropriate publication on the Town Council's website;
- viii. assist with responding to requests made under current Freedom of Information legislation and rights exercisable under Data Protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer ~~(if there is one)~~ **should one be appointed in future.;**
- x. receive and send general correspondence and notices on behalf of the Council except where there is a Resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of Data Protection and Freedom of Information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed (see also Standing Order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its Financial Regulations;
- xiv. The Clerk shall also have the authority and duties given to him/her under any Scheme of Delegation.

- xv. In the case of genuine urgency, the Clerk has delegated authority to take action to resolve or alleviate the situation, within the legal authority and resources of the Authority, after consultation with the Mayor and Deputy Mayor or in their absence any TWO Committee Chairmen.
- xvi. manage access to information about the Council via the Publication Scheme; and
- xvii. to sign notices or other documents on behalf of the Council; retain custody of the seal of the Council (if there is one) which shall not be used without a Resolution to that effect (see also Standing Order 23).

16. RESPONSIBLE FINANCIAL OFFICER

- a The Council shall appoint appropriate staff Member(s) to undertake the work of the Responsible Financial Officer (RFO) when the Responsible Financial Officer is absent.
- b The duties of the RFO shall be set out in the Financial Regulations.

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 publish each month a statement to summarise:
 - i. the Council's ~~receipts and payments (or~~ income and expenditure) for each month;
 - ii. the Council's aggregate ~~receipts and payments (or~~ income and expenditure) for the year to date;
 - iii. the balances held at the end of the month being reported andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each Councillor with a statement summarising the Council's ~~receipts and payments (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. 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 Policy and Resources Committee on the advice of the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent Internal Auditor in accordance with proper practices and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. The tender process for contracts for the supply of goods, materials, services or the execution of works shall be carried out in accordance with the Council's Financial Regulations **and Standing Orders for Contracts**.
- d. Neither the Council, nor a Committee or a Sub-Committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in Standing Order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules.**

19. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of the Joint Consultative Sub-Committee (Staffing) is subject to Standing Order 11.

- b Any annual review of the pay and conditions of service of existing employees shall be undertaken by the Joint Consultative Sub-Committee (Staffing) in accordance with the national pay negotiations. Any review outside of this shall be referred to Council for ratification.
- c If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the public shall be excluded.
- d Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- e In accordance with Standing Order 11(a), persons with line management responsibilities shall have access to staff records referred to in Standing Order 19(d).
- f The Council will set out its employment policies in its Employee Handbook and will bring them to the attention of staff. Delegation in respect of administering these will be included in Terms of Reference and Delegation.

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also Standing Order 21.

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

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

See 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/her 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. COMMUNICATING WITH DISTRICT AND COUNTY ~~OR UNITARY~~ COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward Councillor(s) of **Arun District Council** and the **division** Councillor of the **West Sussex** County Council representing the area of the **Town** Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward Councillor(s) representing the area of the Council.

25. 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; or
 - iii. respond to official correspondence on behalf of the Council (unless specifically authorised by Council). All such correspondence must, at all times, be sent out by the Officers of the Council.
- b. No individual Member of the Council shall require the compilation of any information by Officers of the Council, or give instructions to any Officer or workman, except in so far as the Town Mayor or Committee Chairman is entitled to instruct the Town Clerk to include any item on a Council or Committee agenda pertinent to the work of the Council or Committee as appropriate and subject to such request conforming in all other respects with these Standing Orders.

26. STANDING ORDERS GENERALLY

- a All or part of a Standing Order, except one that incorporates mandatory statutory or legal requirements (**in bold**) 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 change 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 TWO Councillors to be given to the Proper Officer in accordance with Standing Order 9. No Standing Order may be changed unless so resolved by at least TWO THIRDS of the Members of the Council present at the meeting.
- c Whenever the Standing Orders are reviewed by Council, they shall be the subject of an advance report by the Proper Officer, clearly indicating the proposed changes.
- d The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible.
- e The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.

27. COMPLAINTS PROCEDURE

- a The Council shall deal with complaints made against it or against any Officer or Member in accordance with the Complaints Procedure adopted by the Council, except for those complaints which should be properly directed to the Monitoring Officer or to any other regulatory body listed in the Complaints Procedure for consideration.

28. MOBILE PHONES

- a Mobile phones must be switched off or on to "silent" mode at all times during meetings of Council, Committees, Sub-Committees and Working Groups. The only exception to this is where due to wholly exceptional circumstances the Chairman has agreed prior to the meeting that the mobile phone might be left on.

29. ANNUAL TOWN MEETING OF ELECTORS

- a The Council will facilitate the Annual Town Meeting of Electors, to be held between the 1st March and 1st June (both inclusive), each year.
- b The Council will fix the day and time of the Annual Town Meeting of Electors but it must not commence earlier than 6pm.
- c At least 7 days public notice must be given of the meeting, specifying the time and place thereof and the business to be transacted.
- d The press and public have the same rights of admission as they have to a meeting of the Town Council.
- e The Council Chairman, if present presides at the Annual Town Meeting of Electors or in his/her absence the Vice-Chairman. If neither are present, the meeting elects a Chairman from the local government electors for the Parish who are present.

30. PRAYERS AT COUNCIL MEETINGS

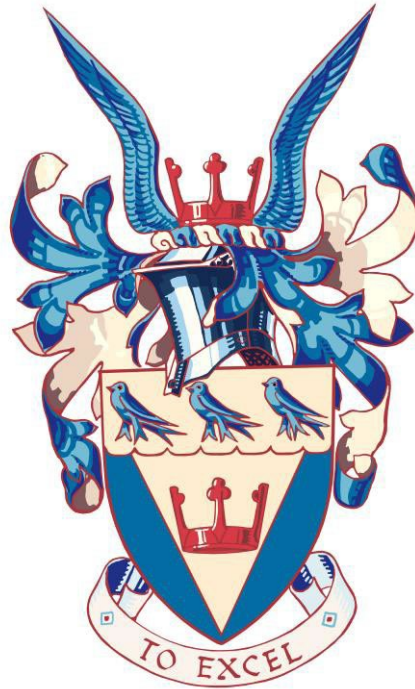
- a If the Council has adopted the General Power of Competence, prayers may be included as part of the meeting if the Council wishes.
- b If the Council is not eligible to adopt the General Power of Competence, prayers may take place before commencement of the meeting if the Council wishes, but Members cannot be summoned to attend.

31. CANDIDATES

- a If a candidate for any appointment under the Council is to his/her knowledge related to any Member of or the holder of any office under the Council, he/she and person to whom he/she is related shall disclose the relationship in writing to the Clerk. The Clerk shall report to the Council or to the appropriate Committee any such disclosure. **Canvassing of any Member (s) or officers will lead to automatic disqualification.**
- b **This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.**
- c The Clerk shall make known the purport of Standing Order 31(a) to every candidate **and tenderer.**

32. INTERESTS OF OFFICERS IN CONTRACTS

- a The Town Clerk shall record in a book to be kept for the purpose, particulars of any notice given by an Officer of the Council under section 117 of the Local Government Act 1972, of a Disclosable Pecuniary Interest in a contract and the book shall be open during office hours to the inspection of any Member of the Council.
- b The recording of a Disclosable Pecuniary Interest shall also apply in respect of the spouse of the Officer.



BOGNOR REGIS TOWN COUNCIL STANDING ORDERS FOR CONTRACTS

Adopted by the Council at its Meeting held on **5th September 2022**

BOGNOR REGIS TOWN COUNCIL

STANDING ORDERS FOR CONTRACTS

These Standing Orders for Contracts were adopted by Council on 5th September 2022. They supplement the Council's main Standing Orders and Financial Regulations.

1. GENERAL

- 1.1 The following Standing Orders set out the procedures by which the Council will enter into contracts for the provision of goods, services, materials and work. Every contract made by or on behalf of the Council shall comply with these procedure rules and no exception from any of the provisions shall be made otherwise than by direction of the Council or under Standing Order. These Standing Orders should be read in conjunction with the Council's Procurement Policy and Financial Regulations applying at the time.
 - 1.2 Contracts are an important part of the Council's purchasing procedures, used for the larger procurements. "Procurement" is the process by which they award contracts to third parties (frequently individuals or companies) to provide goods, services or to undertake works. A procurement process is designed to source the most suitable contractors based on factors such as cost and their knowledge, experience, quality, capability, and financial standing as well as giving fair access to public contracts. A procurement exercise by a local council is subject to the requirements in s. 135 of the Local Government Act 1972 ("the 1972 Act") and the Public Contracts Regulations 2015 ("the Regulations").
 - 1.3 These Orders do not apply to contracts for the sale or purchase of land or buildings other than as set out in this Order. **Every contract relating to the sale or purchase of any land or buildings** shall be in writing and be signed on behalf of the Council by the Proper Officer. Purchases of land should not **usually** be above the current market value as determined by the Council's appointed valuer and sales of land should not **usually** be below the current market value as determined by the Council's appointed valuer. Where this is not the case a report should be made to Council setting out the reasons for such variation, which may take into account any community benefits or justification on the grounds that it helps fulfil a wider objective of the Council.
 - 1.4 Subject to Rule 1.3 every contract made by or on behalf of the Council shall comply with
 - 1.3.1 these Standing Orders for Contracts
 - 1.3.2 the Council's Financial Regulations
 - 1.3.3 the Council's Standing Orders
 - 1.3.4 all relevant statutory provisions. **including any relevant E.C. directive**
 - 1.3.5 any direction by the Council, committees, sub-committees having appropriate delegated authority.
 - 1.5 These Contract Procedure Rules shall not apply or may be varied where or to the extent that:
 - 1.4.1 the Council so resolves
 - 1.4.2 statute or subordinate legislation prescribes otherwise
 - 1.6 Certain public contracts are exempted from the requirements of "the Regulations". Examples are contracts for the acquisition of land and buildings, legal services, bank services, a contract with an incorporated body, controlled by a local authority, where more than 80 % of the body's activities are controlled by the local authority and there is no private sector ownership of the body, (with certain exceptions); and a contract between two or more local authorities who come together to provide a public service. These should always be checked closely with "the Regulations".
- #### 2 DELEGATED AUTHORITY TO ENTER INTO CONTRACTS
- 2.1 The Town Clerk shall have power to accept tenders (where required) and to enter into contracts on behalf of the Council, when the principle and budget have been approved by Council.
 - 2.2 The Town Clerk or Responsible Financial Officer (RFO), if different, have authority to issue official orders or letters for work, goods and services as set out in the Financial Regulations.

3. **ORDERS FOR WORK, GOODS & SERVICES UPTO £5000**

- 3.1 Orders for work, goods and services up to the value of £5000 are not subject to the Standing Orders for Contracts, nor are formal quotations required but orders must comply with the Council's Financial Regulations.
- 3.2 Orders for work, goods and services which would normally be considered as one transaction shall not be divided into different orders so that the Standing Orders for Contracts are deemed not to apply.

4 **CONTRACTS OF UP TO £25,000 (Low Value Contracts).**

- 4.1 Tenders need not be invited for contracts estimated to have a value of £25,000 or less but 3 quotations shall be obtained in accordance with the Council's Financial Regulations (i.e. value £5,000-£24,999).
- 4.2 The Council's Procurement Policy states that in all contracts for goods, materials or services over £20,000, an evaluation model encompassing both price and quality, will be developed in advance against which best value can be judged.
- 4.3 Three quotations need not be invited in circumstances set out in regulation 11 the Financial Regulations (strive for 3 estimates for value below £5,000) or in cases where genuine competition is not available because of the specialist nature of the work or goods, all subject to a resolution of Council which embodies the reason for not doing so.
- 4.4 The Financial Regulation 11.1 refers to the requirements of the Public Services (Social Value) Act 2012 and the Public Contracts Regulations 2015.

5 **REQUIREMENTS FOR TENDER**

- 5.1 Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of "the Regulations".
- 5.2 All contracts over £25,000 but below the threshold (public service or supply contract currently over £213,477 or public works contract over £5,336,93) must be advertised on Contract Finder as well as any other advertisements placed, including the Council's website. These thresholds are the total value over the period of the contract.
- 5.3 As a result of Brexit, the UK Government must now ensure procurement thresholds are aligned with the World Trade Organisation's thresholds. One of the most notable impacts of this change is that contract value estimations must now be inclusive of VAT. Under previous EU rules, procurement thresholds were net of VAT.
- 5.4 All contracts above the threshold in 5.2 must follow the more complex procedure of "the Regulations" including advertising on the Government website Find a Tender.
- 5.5 The full requirements of "the Regulations", as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in "the Regulations" ~~set by the Public Contracts Directive 2014/24/EU~~ which may change from time to time.
- 5.6 Where a council publishes information on Contracts Finder/Find a Tender. it must — (a) by means of the internet, offer unrestricted and full direct access free of charge to any relevant contract documents; and (b) specify in the information published on Contracts Finder/Find a Tender the

internet address at which those documents are accessible; A council may advertise the contract opportunity on the "Contracts Finder" website when it does not advertise the contract opportunity elsewhere.

5.7 Subject to additional requirements in the financial regulations of the Council and of "the Regulations" for contracts valued above the thresholds in 5.2, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
- ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
- iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
- iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Town Clerk;
- v. tenders shall be opened by the Town Clerk in the presence of at least one councillor after the deadline for submission of tenders has passed;
- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

5.8 Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

6 OPEN COMPETITIVE TENDERS

Tenders shall be invited after giving at least 14 days public notice in at least one local newspaper circulating in the area of the Authority, and in such trade journals as the Town Clerk considers appropriate, on the Council's website and in accordance with "the Regulations", stating the nature and purpose of the contract, inviting tenders and stating the last date when tenders will be accepted.

Any notice issued shall contain a Statement of the effect of Standing Orders 31 & 32.

7 AD HOC APPROVED LIST

7.1 Tenders shall be invited after giving notice in the manner set out in Rule 6 seeking applications to be placed on a list from which selected contractors will be invited to submit tenders. If this approach is considered a framework agreement under "the Regulations" further advertising is unlikely to be required.

8 STANDING APPROVED LIST

8.1 Tenders shall be invited from persons included in a list approved by the Council for the supply of goods or materials of specified categories values or amounts or for the carrying out of specified categories of work'

8.2 The list shall be compiled in the following manner:

- 8.2.1 Notices inviting applications for inclusion in the list shall be published not less than 28 days before the list is compiled in at least one local newspaper and one trade journal, on the Council's website and in accordance with the Regulations.
- 8.2.2 No person shall be included in the list unless, at the time of compilation of the list, the Responsible Financial Officer is satisfied as to his or her financial status and suitability.
- 8.2.3 The approved list may be amended as required from time to time by the Council and shall be reviewed at intervals not exceeding two three years.

8.3 If this approach is considered a framework agreement under “the Regulations” further advertising is unlikely to be required.

9. **APPROVED LIST OF ANOTHER AUTHORITY**

9.1 Tenders shall be invited from persons included in a list approved by a Principal Council for the supply of goods or materials of specified categories values or amounts or for the carrying out of specified categories of work. If this approach is considered a framework agreement under “the Regulations” further advertising is unlikely to be required.

10 **ESTABLISHED PROCUREMENT SPECIALIST**

10.1 Where large, high value tender exercises take place, in areas in which the Council have limited expertise, it may be necessary to engage the use of established procurement specialists. These specialists will undertake the tender process on behalf of the Council, subject to compliance with Financial Regulations for the opening of tenders.

11 **CONTRACTS EXCEEDING THE THRESHOLDS (see 5.2)**

11.1 Contracts exceeding the thresholds are detailed and complex. It is likely that the Council will require technical and or legal advice from those who specialise in public procurement.

11.2 Procurement must take one of five forms; the open procedure, the restricted procedure, competitive dialogue, the innovations partnership procedure; and competitive procedure with negotiation. Accelerated forms of the open procedure and competitive procedure with negotiation and the restricted procedure in situations of urgency that a local council can duly substantiate.

11.3 There is a pre-qualification stage; • Councils will need to comply with the requirements in respect of tenders; Contracts should be awarded on the “most economically advantageous tender Contracts can be varied without going through a new procurement exercise in specified situations.

12 **SELECTION OF TENDERERS OR INVITEES**

12.1 The selection of persons from whom tenders shall be invited shall be delegated to the Town Clerk in consultation with the Chairman of Policy & Resources. Advice should be taken from any procurement specialist who has been engaged.

12.2 The Council cannot include a pre-qualification stage under “the Regulations” for the “light touch” requirements below the thresholds. A “pre-qualification stage” is defined as “a stage in the procurement process during which the contracting authority assesses the suitability of candidates to perform a public contract for the purpose of reducing the number of candidates to a smaller number who are to proceed to a later stage of the process.” A council may however ask tenderers to answer “suitability assessment question” which is defined as relating “to information or evidence which the contracting authority requires for the purpose of assessing whether candidates meet requirements or minimum standards of suitability, capability, legal status or financial standing” if the questions are relevant to the subject-matter of the procurement; and proportionate.

12.3 In inviting applications for inclusion in a list of approved tenderers or in selecting persons from whom tenders are to be invited, steps shall be taken to ensure fair competition and not disadvantage small enterprises or new entrants to the sector. It may be necessary to supplement approved lists in cases where the specialist nature of the work or goods indicates that completion will be limited, subject to a resolution of Council which embodies the reason for doing so.

Where a contract will involve a design element, or in the case of other construction works, the chosen process may be varied minimally to ensure that the quality of the design is properly taken into account. Construction processes which are taking forward the Government Construction Strategy may also be used.

13 **FORM OF INVITATION TO TENDER AND SUBMISSION OF TENDERS**

- 13.1 All tenders shall be required to be submitted on a Form of Tender **which complies with "the Regulations" where applicable and is** approved by the Town Clerk. This Form shall include a statement that the Council will not be bound to accept any tender and reserves the right to accept a tender other than the one which is the lowest price or not to accept any tender at all.
- 13.2 The invitations to tender shall state that no tender will be considered unless contained in a unmarked plain sealed envelope and endorsed "Tender" followed by the subject to which it relates.
- 13.3 Every tender shall be addressed to the Town Clerk and the tender shall remain in his/her custody, or that of his nominated representative, until the time appointed for its opening. (See also 10.1).
- 13.4 **Where the RFO intends to undertake a financial check on all or the preferred tenderer, this must be stated in the tender documents.**
- 13.5 **Where an evaluation model is to be used (price and quality), this must be disclosed and described in the tender documents.**
- 13.6 **Councils must ensure that contracts contain suitable provisions stating that valid undisputed invoices will be paid by within 30 days. Public contracts must also contain a condition requiring contractors to include similar provisions in their contracts, and so on down the supply chain.**

14 **EXTENSION OF TIME**

- 14.1 **Subject to compliance with "the Regulations"**, where the Town Clerk considers it to be in the best interests of the Council the time within which tenders must be received, may be extended after giving notice of such extension of time in the following manner: -
- 14.1.1 **Open competitive tenders** - in accordance with Standing Order 6.
- 14.1.2 **Ad hoc approved list / Established procurement specialist** - by giving 14 days written notice to each of the selected contractors.
- 14.1.3 **Standing approved list** - by giving 14 days written notice to each of the relevant persons on the list.

15 **OPENING OF TENDERS**

- 15.1 All tenders for a contract shall be opened at the same time and as soon as possible after the closing time for the acceptance of tenders. The tenders will be opened by the Town Clerk or other nominated officer in the presence of two Members of Council. (See also 10.1)
- 15.2 The Town Clerk shall prepare and maintain a register of tenders received and shall record in that register the following particulars:
- 15.2.1 the last date and time for the receipt of tenders
- 15.2.2 the date and time the tender was actually received
- 15.2.3 the name of the tenderer and the amount of the tender
- 15.2.4 the date and time they were opened and by whom.
- 15.2.5 the signature of the officer to whom the tenders were handed after opening.
- 15.3 All persons required to be present at the opening of tenders shall immediately sign against the relevant particulars in the register and shall also sign each page of the tender as evidence of such tenders having been opened by them or in their presence.
- 15.4 Following the opening of tenders invited the Town Clerk shall write to all persons who were invited to tender but who failed to tender to ascertain the reasons for that failure.
- 15.5 **When a contract is awarded, the council, must publish on the Contracts Finder, required information on the successful tenderer. A council may withhold certain information where its release would impede law enforcement or would otherwise be contrary to the public interest, would prejudice the legitimate commercial interests of a particular economic operator, whether public or private, or might prejudice fair competition between economic operators.**

16 **LATE TENDERS**

- 15.1 Any tender received late will be returned promptly to the tenderer by the Town Clerk. A late tender which has been received may be opened in the presence of the two Members to ascertain the name and address of the tenderer but no details of the tender shall be disclosed.

17 **ALTERATIONS TO TENDERS**

- 17.1 Where the tender reveals errors or discrepancies, which would affect the tender figure in an otherwise successful tender, the tenderer shall be told of the errors and discrepancies and given an opportunity of confirming, correcting or withdrawing the offer.

18 **ACCEPTANCE OF TENDERS**

- 18.1 In accepting a tender, consideration will be given to price and quality (but see 11.3). A suitable pre-determined price-quality model (Evaluation Model) will be devised by the Town Clerk or representative in accordance with the Council's Procurement Policy. Selection of the best tender will be based on this evaluation.

- 18.2 If no tenders are received or if all tenders are identical, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit, **subject to "the Regulations"**.

19 **CONTRACTS TO BE IN WRITING**

- 19.1 Every contract which exceeds £5000 shall be in writing in a form approved by the Town Clerk.
- 19.2 Every contract shall specify, amongst other things:
- 18.2.1 the goods, materials, works, matters, or things, to be furnished, supplied or done (including any appropriate technical specifications)
 - 18.2.2 the price to be paid with a statement of discount or other deductions
 - 18.2.3 where applicable, the time or times that the contract is to be performed
 - 18.2.4 how the contractor will be accountable for performance, and any information or reports that he will be required to submit.
- 19.3 The Town Clerk shall sign every contract not required to be made under seal on behalf of the Council.
- 19.4 The Town Clerk or his/her nominated representative shall seal every contract required or intended to be made under seal on behalf of the Council, in accordance with Standing Orders.
- 19.5 Every contract for which provision has been made in the approved annual estimates and/or approved by the appropriate committee or sub-committee of the Council pursuant to Standing Orders and being in value of amount less than £5,000 shall be entered into on behalf of the Council by the Town Clerk by issuing an official order only.

20 **ASSIGNMENT**

- 20.1 In every written contract for the execution of work or the supply of goods or materials, the following clause shall be inserted:

"The contractor shall be prohibited from transferring or assigning directly or indirectly, to any person or persons whatever, any portion of the contract without the written permission of the Council. Sub-letting of any part(s) of the work, except to the extent permitted in writing by the officer concerned, shall be prohibited"

21 **LIQUIDATED DAMAGES**

- 21.1 Every contract that exceeds £50,000 shall, **subject to "the Regulations"** where considered appropriate by the Town Clerk, provide for liquidated damages to be paid by the contractor in case the terms of the contract are not duly performed.

22 **PERFORMANCE BONDS**

- 22.1 Where a contract is estimated to exceed £150,000 in value and is for the execution of the works, or

for the supply of goods or materials by a particular date or series of dates, the Policy & Resources Committee shall consider whether the Council should require security for its due performance and shall either certify that no such security is necessary or shall specify in the conditions of tender the nature and amount of any security to be given. In the latter event, the Council shall require and will take a bond or other sufficient security for the due performance of the contract, **subject to compliance with "the Regulations"**.

23 **RETENTION**

- 23.1 Works contracts, which are estimated to exceed £50,000 in value, will be subject to a defects period. The Council will, **subject to compliance with "the Regulations"**, retain a percentage of the monies due to the contractor for a period that the Town Clerk deems appropriate, having regard to the current practice in the relevant industry and to the circumstances of the contract.

24 **CANCELLATION**

- 24.1 Every contract will include a clause allowing the Council to cancel the contract and to recover costs if the contractor has offered, or given, any gift or consideration whatsoever as an inducement or reward to obtain the contract, or any other contract with the Council.

- 24.2 A notice issued under this standing order shall contain a statement of the effect of main Standing Orders **31 & 32**

25 **NOMINATED SUB-CONTRACTORS**

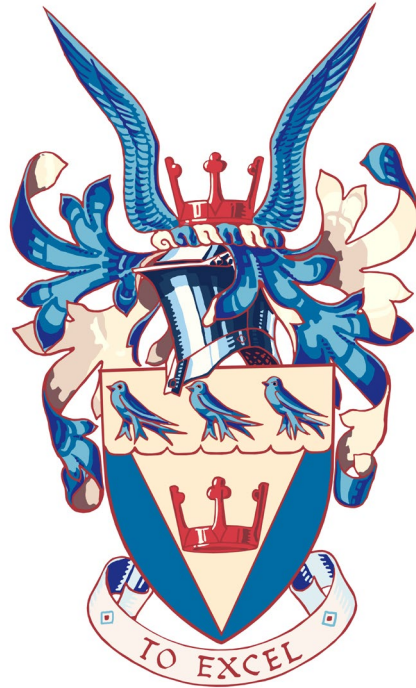
- 25.1 Where a sub-contractor or supplier is to be nominated to a main contractor the following provisions shall have effect.

- 25.2 Where the estimated amount of a sub-contract exceeds £40,000 then, unless the Town Clerk certifies that it is not reasonably practicable to obtain competitive tenders, tenders for the nomination shall be invited and dealt with in accordance with these Contract Procedure Rules as if they were for a contract with the Council.

- 25.3 A nominated sub-contractor must be willing to enter into a contract with the main contractor on terms which indemnify the main contractor against his own obligations under the main contract in relation to the work or goods included in the sub-contract.

26 **ENGAGEMENT OF CONSULTANTS**

- 26.1 In the event of the Council engaging the services of consultants, these Contract Procedure Rules will apply where relevant, and subject to approved exemptions set out in the Financial Regulations.



BOGNOR REGIS TOWN COUNCIL FINANCIAL REGULATIONS

Adopted by the Council at its Meeting held on 5th September 2022

BOGNOR REGIS TOWN COUNCIL
FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the Council at its Meeting held on 5th September 2022

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's Standing Orders and the council's Standing Orders for Contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective, and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The **Town** Clerk has been appointed as RFO for this council and these regulations will apply accordingly.
- 1.9. The RFO:
 - acts under the policy direction of the council;

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

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

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

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure 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 external auditors,
- shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any single revenue commitment in accordance with regulation 4.1 and grant in accordance with regulation 5.8.
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant Committee in accordance with its terms of reference.

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

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

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

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

- 2.2. On a monthly basis and at each financial year end, the Chairman or Vice-Chairman of the Finance Committee shall verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Finance Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
- be competent and independent of the financial operations of the council;
 - report to council in writing 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.
- 2.7. Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. The RFO must each year, by no later than the end of February prepare detailed estimates of all income and expenditure 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 Committees, the Finance Committee and then council.
- 3.2. 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 February 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.
- 3.3. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
 - the council for all items over £20,000;
 - a duly delegated committee of the council for items up to £20,000 or
 - the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £10,000
 - the Clerk for any items up to £5,000

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

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

- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year, **but if required for a specific approved purpose may be moved in to an ear-marked reserve.**
- 4.4. The salary budgets are to be reviewed at least annually, as part of the budget setting process, 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.
- 4.5. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.6. All capital works shall be administered in accordance with the council's standing orders and **financial regulations standing orders** relating to contracts.
- 4.7. The RFO shall regularly provide the council with a statement of income and expenditure to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.
- 4.8. Changes in earmarked reserves shall be approved by Policy and Resources Committee 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 may seek credit references in respect of members or employees who act as signatories.
- 5.2. **When expenditure is authorised in accordance with Regulation 4, the council owes the money once the work, goods or services have been satisfactorily received by the council. Payment schedules to council or committee are therefore technically**

for the release of funds and cannot be withheld without good reason. The RFO shall prepare a schedule of payments forming part of the Agenda for the meeting and, present the schedule to council. The council shall review the schedule. The schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, as soon as practicable.
- 5.5. The Town Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
 - a) fund transfers within the councils banking arrangements, provided that details of such payments shall be submitted to the next appropriate meeting of Finance Committee.
- 5.6. For each financial year the Town Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council or a duly authorised committee, may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council or Finance Committee. In practice, may be combined with the requirements of 6.6, 6.7 & 6.8.
- 5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any Policy statement approved by council.
- 5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or

instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

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

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Town Clerk shall give instruction that a payment shall be made.
- 6.3. All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two signatories of council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil and supporting invoice.
- 6.6. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the Finance Committee at least every two years.
- 6.7. If thought appropriate by the council, payment for certain items (principally salaries) may be made by Banker's Standing Order provided that the instructions are signed, or otherwise evidenced by two members, are retained and any payments are reported to council as made. The approval of the use of a Banker's Standing Order shall be renewed by resolution of the Finance Committee at least every two years.
- 6.8. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or

CHAPS shall be renewed by resolution of the Finance Committee at least every two years.

- 6.9. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.10. 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 Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.11. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.12. 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 off site.
- 6.13. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.14. Where internet banking arrangements are made with any bank, the Town Clerk shall be appointed as the Service Administrator. The Bank Mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.15. 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.
- 6.16. 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 **Town** Clerk. A programme of regular checks of standing data with suppliers will be followed.

- 6.17. Any Debit Card issued for use will be specifically restricted to the Clerk and will also be restricted to a daily transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.
- 6.18. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of Members or staff should only be used in exceptional circumstances and only if prior written permission is given by the Town Clerk.
- 6.19. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- a) The RFO shall maintain a petty cash float of £300 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
 - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
 - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the relevant committee.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded. This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

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

- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for all staff.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the appropriate committee. Termination payments shall only be authorised by the Finance Committee.
- 7.8. Before employing interim staff the appropriate committee 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/~~Welsh Assembly Government~~ (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. The council will arrange with the council's Banks and Investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk.
- 8.4. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with council policy.
- 8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and

guidance. Any Strategy and Policy shall be reviewed by the Finance Committee at least annually.

- 8.6. All investments of money under the control of the council shall be in the name of the council.
- 8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. The council will review all fees and charges at least annually, following a report of the **Town** Clerk.
- 9.3. Any sums found to be irrecoverable and any bad debts shall be reported to the Finance Committee and shall be written off in the year.
- 9.4. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.5. The origin of each receipt shall be entered on the paying-in slip.
- 9.6. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.7. 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.
- 9.8. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

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. Pre-printed orders shall be controlled by the RFO.
- 10.3. All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.
- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used. **Where the Council hold the General Power of Competence, it will be assumed to be the power of first resort unless otherwise stated.**

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 (vii) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors, planning consultants **and other specialist advisors**;
 - 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.
- vii. in cases where genuine competition is not available because of the specialist nature of the work or goods, subject to a resolution of Council which embodies the reason for the exemption.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of "the Regulations".
- c. The full requirements of "the Regulations", as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in "the Regulations" ~~set by the Public Contracts Directive 2014/24/EU~~ (which may change from time to time).
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the ~~Town~~ Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the ~~Town~~ Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the ~~Town~~ Clerk in the presence of at least one member of council.
- g. If less than three tenders are received for contracts above £25,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works, ~~subject to compliance with "the Regulations"~~.
- h. Any invitation to tender issued under this regulation shall be subject to Standing Orders, and shall refer to the terms of the Bribery Act 2010.
- i. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall invite 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- j. The council shall not be obliged to accept the lowest or any tender, quote or estimate.

- k. 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.

~~The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.~~

- l. The Public Services (Social Value) Act 2012 applies from 31 January 2013 and requires public bodies to consider how what is to be procured may improve social, environmental and economic well being of the relevant area, how they might secure any such improvement and to consider the need to consult.

[N.B. From January 2021, Central Government contracts will have to evaluate social value on major contracts. This does not currently apply to local government.]

- m. The Public Contracts Regulations 2015 requires that procurement over £25k must be advertised on Contract Finder/[Find a Tender](#), the government Website.

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 **Town** 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 **Town** 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.
- 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.
- 15.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.3. 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.
- 15.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

16. CHARITIES

- 16.1. Where the council is sole managing trustee of a charitable body the **Town** 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 **Town** 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 **Town** Clerk 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 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 **Town** 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.

DRAFT

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 10 - MATCH-FUNDING AWARDS - TO RATIFY RELEASE OF THE FUNDS TO ROX MUSIC AND ARTS DEFERRED FROM LAST MEETING - MIN. 19.3 REFERS

REPORT BY THE ASSISTANT CLERK

FOR DECISION

At the Policy and Resources Committee Meeting held on 4th June 2022 Members received a report and were invited to ratify the release of funding to the value of £4,000 to Rox Music & Arts.

A Member queried whether the £4,000 funding was solely intended to cover the cost of Grayson Perry's attendance/appearance (or an alternative TV personality). The Town Clerk did not believe that this was the case but did not have the breakdown of costs that had been supplied by Rox to hand. It was, therefore, agreed to defer the ratification of the release of these funds to allow for a breakdown of costs to be brought back to the next meeting (Min. 19.3 refers).

The breakdown of costs received from Rox, indicating how they intended to spend the £4,000 awarded to them is as follows: -

Jim Ransom appearance -	£300
Chauffeured Hot Rod car for arrival -	£150
The Regis Jazz Band -	£150
Dancers -	£120
Full Page adverts in the Observer -	£1,560
Radio Campaign on V2 including Commercial Production -	£1,360
Ancillary costs such as the wine for guests etc. -	£360

DECISION

Having now received the breakdown of costs, as requested, Members are asked to **RATIFY** the release of the funds to the value of £4,000 to Rox Music & Arts for the 2022 Rox Art Trail event.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 11 - TO NOTE THE REQUIREMENT THAT THE GRANT AID AWARDED TO THE 2020 PRIDE EVENT CURRENTLY HELD IN EARMARKED RESERVES, THAT IS NO LONGER NEEDED, WILL BE RETURNED TO GENERAL RESERVES - MIN. 20 REFERS

REPORT BY THE ASSISTANT CLERK

FOR NOTING

At the Policy and Resources Committee Meeting held on 4th June 2022 Members agreed that the £4,000 grant, awarded to the 2020 Pride event, which was subsequently cancelled, should remain in Earmarked Reserves to potentially allow for the funds to be used for another event.

However, the Clerk has been advised by the Town Council's Accountant, Mr. D. Kemp, that these monies must, in fact, be returned to General Reserves until such time that these funds may be required for another event.

DECISION

Members are invited to **NOTE** the requirement that the Grant Aid awarded to the 2020 Pride event currently held in Earmarked Reserves, that is no longer needed, will be returned to General Reserves.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 12 - TO RATIFY ADDITIONAL £100 EXPENDITURE FOR THE TOWN CRIER'S NEW REGALIA FOR THE QUEEN'S PLATINUM JUBILEE CELEBRATIONS – MIN. 47 FROM THE MEETING HELD ON 2nd AUGUST 2021 REFERS

REPORT BY THE ASSISTANT CLERK

FOR DECISION

Members agreed to commission a new Town Crier's regalia for the Queen's Platinum Jubilee celebration, at the meeting held 2nd August 2021, with a budget of up to £1,500 released from the Town Crier Earmarked Reserves to fund the expenditure.

Upon completion of the work in June 2022 the costs invoiced had slightly exceeded the budget by £100. The £1,500 has already been paid out, however, Members are now being asked to approve the release of the additional £100.

DECISION

Members are asked to **RATIFY** the additional £100 expenditure for the Town Crier's new regalia for the Queen's Platinum Jubilee celebrations, to be funded from the Town Crier's Earmarked Reserves.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 13 - TO CONSIDER THE RECOMMENDATION FROM THE COMMUNITY ENGAGEMENT AND ENVIRONMENT COMMITTEE TO ALLOCATE A BUDGET OF £300, FOR THE PURCHASE OF PLAQUES AND TROPHIES FOR AWARDING TO BUSINESSES DEMONSTRATING GOOD PRACTICE WITH REGARDS TO RECYCLING AND GREEN ISSUES – MIN. 16 REFERS

REPORT BY THE ASSISTANT CLERK

FOR DECISION

At the Community Engagement and Environment Committee Meeting held 13th June 2022, Members gave further consideration to setting up an award for businesses who can demonstrate good practice with regard to recycling and green issues.

It was suggested by a Member to award an annual trophy or plaque for 1st, 2nd and 3rd place businesses, which could be presented at the Mayor's Civic Reception. As a result of the discussion, it was agreed that an award should be set up for businesses and that recommendation be made to the Policy and Resources Committee that a budget of £300, for the purchase of plaques and trophies, be funded from an appropriate budget (Min. 16 refers).

DECISION

Do Members **APPROVE** the **RECOMMENDATION** from the Community Engagement and Environment Committee that a budget of £300, for the purchase of plaques and trophies to be awarded to businesses demonstrating good practice with regard to recycling and green issues, be funded from an appropriate budget?

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

**AGENDA ITEM 14 - TO CONSIDER THE REQUIREMENT FOR AN
EQUALITY, DIVERSITY AND INCLUSION POLICY FOR BOGNOR REGIS
TOWN COUNCIL**

REPORT BY THE ASSISTANT CLERK

FOR DECISION

A request was recently received from a member of the public asking for a copy of any Equality, Diversity and Inclusion (EDI) Policy that the Town Council has adopted.

Whilst the Town Council do not have an EDI Policy, it does have an Equality Policy Statement, that was last reviewed 9 months ago, and although not included in the wording of the policy title, the document does address diversity (a copy of the Town Council's Equality Policy Statement is attached to this report as **Appendix 1**). There is also an [Accessibility Statement](#) on the Town Council's website.

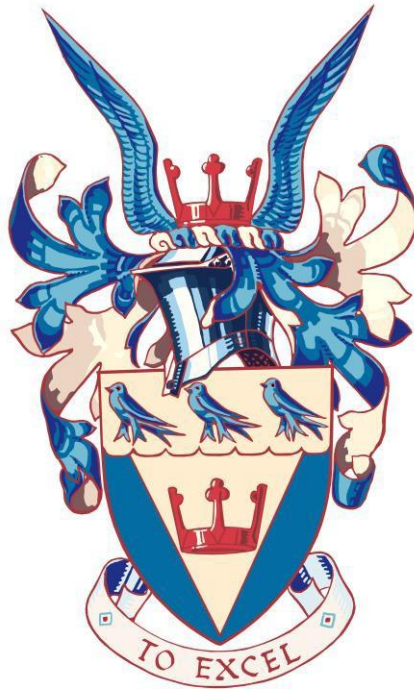
Following an internet search of surrounding Town and Parish Council's websites, it is not apparent that they themselves have an EDI Policy. This also appears to be the case for Arun District Council.

The request from the member of the public has prompted the question to be asked as to the requirement for an EDI Policy, in addition to the Equality Policy Statement and Accessibility Statement that the Town Council already has in place, which is in line with other local councils.

Should Members consider that there is a requirement for an EDI Policy then a draft version will be presented to this Committee at a future meeting which, if approved, will be recommended to Council for adoption.

DECISION

Do Members **AGREE** or **DISAGREE** that there is a requirement for an Equality, Diversity and Inclusion Policy for Bognor Regis Town Council?



BOGNOR REGIS TOWN COUNCIL EQUALITY POLICY STATEMENT

Adopted by the Council at its Meeting held on 9th September 2013

Reviewed by Council on 1st November 2021

THE COUNCIL'S EQUALITY STATEMENT

The Council aspires to be an Equal Opportunities employer, service provider and community leader. Our aim is to ensure that all employees and service users are not subject to any form of discrimination, harassment and/or victimisation at any time on the basis of age, gender, gender reassignment, ethnic origin, colour, disability, illness (such as HIV or AIDS), marital status or being in a civil partnership, nationality, race, religion or belief, sexual orientation, pregnancy and maternity or social background.

POSITIVE ABOUT EQUALITY, DIVERSITY AND HUMAN RIGHTS

This Policy recognises the Council's duties under the Equality Act 2010.

The Council is committed to providing the highest quality of governance and service and recognises that the implementation of an effective Equality Policy is an integral part of this. It is not a coincidence that an organisation that is able to provide services to meet the diverse needs of its users, usually carries out its core business efficiently. Equally a workforce that has a supportive environment is more productive. The Council as a corporate body has responsibilities as an employer, a service provider and a public authority, in which both Members and employees as individuals also have responsibilities as well as rights.

We are committed to ensuring that our services and employment practices are fair, accessible, responsive and appropriate for all residents, clients & service users, voluntary and business organisations and visitors in the community we serve, as well as the dedicated staff we employ and volunteers and partners who work with us.

To achieve this we are working on eliminating all forms of discrimination in accordance with our Equality Statement and ensure that human rights (dignity and respect) are central to the way in which we deliver services.

We will strive to advance equality of opportunity between people who share a protected characteristic and those who do not and to foster good relations between people who share a protected characteristic and those who do not.

POSITIVE AS AN EMPLOYER

The Council is committed to making full use of the talents and resources of all its employees. It will recruit, reward, develop, promote and transfer employees on the basis of the skills, relevant qualifications, experience, aptitude and ability they can bring to the job.

The Council will encourage and develop all employees to support and carry out the requirements of this Equality policy. All employees will be encouraged to identify and disseminate good practice.

Recruitment

The Council recruitment process must result in the selection of the most suitable person for the job, in respect of experience and qualifications. It is against The Council's policy to discriminate either directly or indirectly on the grounds of any characteristic listed in its Equality Statement, at any stage of the recruitment process.

The Council staff must ensure that:

- all job opportunities are open to all applicants
- no prejudgement or assumptions are made by recruiters or managers.
- all applications are given equal consideration
- no decision is made in advance regarding the outcome of recruitment
- all applicants and staff are made aware of the Council policy on recruitment

All recruitment publicity must positively encourage applications from all suitably qualified and experienced people and should avoid any stereotyping of roles. All publicity should state that The Council is an Equal Opportunities employer and welcomes diversity. All vacancies must be advertised in accordance with the Council's Personnel Policies.

The selection process must be carried out consistently at all levels. It must be fair and non-discriminatory. Application forms where used, must state that The Council is an Equal Opportunities employer. The only criteria to be used in the selection process are those based on the skills, experience and qualifications essential for the job.

All aspects of The Council's recruitment and selection process will be monitored by the Town Clerk to ensure the Council meets its obligations as an Equal Opportunities and quality employer.

Training and Development

Training and development opportunities will be made available to all employees and any form of discrimination whether direct or indirect will not be tolerated. Priority will be given to training or development activity which is linked to the achievement of The Council's aims and objectives. Where resources permit the Council will support training and development beyond the needs of the job which can be returned as a benefit to the Council i.e. increased flexibility, breadth of experience and commitment.

Terms and Conditions

All employees will be treated equitably with respect to pay and other conditions of their contracts of employment.

Breaches of Policy

Employees who feel that they have been subject to discrimination should attempt to resolve the issue by talking to the individual whom they feel has acted inappropriately. If this does not resolve the issue then the employee can approach their manager or, if necessary, the Town Clerk under the Grievance Procedure

Harassment

The Council will not tolerate or accept any form of harassment of its employees. All employees have the right to be treated with dignity and any contravention of this right may be subject to the appropriate grievance or disciplinary procedure or Councillors Code of Conduct⁽¹⁾. Harassment policy and processes are included in the Council's Personnel Policies.

Discrimination Against People With Disabilities

The Council will make reasonable changes to the physical features of its premises or to its method of undertaking business where this can enable an employee to properly undertake their job role. We will think positively about disabled staff as we do with disabled customers.

Religious Discrimination

Discriminatory behaviour which fails to acknowledge the rights and needs of people with different beliefs or practices will be treated as a disciplinary offence.

Bullying

Workplace bullying is a separate issue from sexual and racial harassment but the effects can be the same. Within the working environment bullying can be described as the use of a position or power to coerce others by fear, oppression or threat.

The Council will not tolerate bullying behaviour at any level and it is the responsibility of all managers to eliminate any form of bullying which they become aware of. Allegations of bullying will be dealt with under the grievance or disciplinary procedures or Councillors Code of Conduct. Any employee who feels they are being bullied should consult any manager or the Town Clerk.

Victimisation

The Council will ensure that no employee is treated less favourably than other people because, for example they have brought proceedings, given evidence, or complained about the behaviour of someone who has been harassing or discriminating against them.

Age

- Recruitment is based entirely on relevant criteria, this criteria will be specific to the post and will not include age or age related criteria. Person specifications must focus on job needs only.
- All Job advertisements will avoid the use of ageist language.
- Where appropriate, advertisements will be designed to attract a mixed-age response through advertising. Application forms will be reviewed to minimise inferred calculation of age.
- Age related details will be separated from the application form as far as practicable.
- Candidates will be selected on the basis of skills and abilities. Recruitment procedures will ensure that the process is fair, consistent and does not discriminate against a particular age group.
- Only job-related questions should be asked of job applicants. Candidates will be measured against selection criteria to help decision-making.
- All successful applicants will be subject to an employment medical questionnaire irrespective of age. Assumptions about capability or medical fitness will not be based on the age of the applicant.
- Promotion, training and career development opportunities will be provided equally for all staff whatever their age.
- Specific length of service provisions relating to pay and benefits will only be permitted where this can be justified in that the arrangement rewards loyalty, encourages motivation or recognises relevant experience.
- Pay scales and access to other benefits including the occupational pension and bonuses will not be based on age. Any age related criteria will be removed.
- The Council does not have a default age for retirement.
- Any voluntary redundancy scheme will not be based on age related criteria unless such criteria may be justified under the regulations. Selection for redundancy will not be based on length of service alone as this is indirectly discriminatory.

Responsibilities

- All Members and employees of the Council have a responsibility to ensure that the Council's Equal Opportunities policy is communicated and its requirements adhered to.
- All Council staff will receive training and development in equal opportunities issues and councillors will be offered this training. The Council policies on managing diversity form part of its Employee Handbook.

POSITIVE ABOUT SERVICE DELIVERY

The Council's clients have the right to expect fair and non-discriminatory treatment whilst participating in or receiving any of The Council's services. It will ensure that all recipients of the services delivered directly by the Council are guaranteed the same opportunity.

All aspects of the Council's Equalities Policy impact on the manner in which it directly delivers services to and for its customers.

Adherence to the principles and practices contained within the policy will be monitored on a regular basis. The Council will look for ways that it can make its services accessible to all.

Breaches of this Policy by staff will be subject to the grievance and discipline procedures.

Where any service is delivered indirectly by contractors, partners or volunteers, the Council will ensure that they understand its Equality Policy and adhere to it.

POSITIVE ABOUT COMMUNITY LEADERSHIP

The Council has a local governance and community leadership role. Local residents, members of local organisations, businesses and visitors have the right to expect fair and non-discriminatory treatment when engaging with the Council

The Council recognises the diversity within the community and seeks to reflect this in the work it undertakes within that community. All aspects of the Council's Equalities Policy impact on the manner in which it engages with the community.

Adherence to the principles and practices contained within the policy will be monitored on a regular basis. The Council will look for ways that it can make it easier for everyone to engage with it.

POSITIVE ABOUT DISABILITY

Inclusive

The Council believe that as far as possible, disabled customers should be able to obtain services in the same way as other customers who are not disabled. However, given the constraints of operating from existing buildings, there will be some situations where the same treatment is not possible. In such cases, we will come up with a solution as to how best to service our disabled customers, which demonstrates respect for their dignity.

Finding Out

The Council will periodically undertake an audit of its premises and operations to assess as far as possible, what customers with different disabilities may need in order to access our services. We will base this on good practice guidance and where appropriate talk to individual customers about any particular problems they encounter. As necessary, we will seek expert advice on finding solutions.

Existing Premises

We will focus particularly on making reasonable adjustments to the physical features of the premises. Where a physical feature makes it impossible or unreasonably difficult for disabled customers to make use of a service, we will take reasonable measures to: remove the features, or alter the features, or provide a reasonable means of avoiding it, or provide a reasonable alternative method of making the service available.

Getting Better

We will plan the development of our business with disabled people in mind. We will ensure our staff are aware disability issues and are trained to meet the needs of disabled customers.

POSITIVE ABOUT DEMOCRACY

Where councillors are to be elected, the Council will make information available as widely as possible about the election, and help people who are interested in standing for election, with the objective of reflecting the diversity of the Parish.

When the Council seeks a co-opted member, it will advertise widely and will ensure that every applicant has an equal opportunity. Selection will be made against objective criteria.

The Council will always promote democracy, encourage all people to engage with it and vote at elections. It will make special efforts to engage with "hard to reach" groups.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 15 - LEASE OR LICENCE - FURTHER UPDATE ON THE POSITION IN RELATION TO BRTC ASSETS ON THE PROMENADE REGARDING ADC REQUIREMENTS AND CONSIDERATION OF THE WAY FORWARD - MIN. 6.2 REFERS

REPORT BY THE TOWN CLERK

FOR DECISION

BACKGROUND

This issue has been ongoing for a number of years without any resolution. It dates back to December 2017 so detail of the background that has led to the position we are in today can be found below for Members information.

The Town Force Manager advised in the Town Force report that went to the Policy and Resources Committee Meeting on 5th February 2018 as follows: -

BRTC decking on the seafront

Arun DC informed me in December that the wooden decking owned by the Town Council would have to be moved to allow for a new play area and a concession to be built. I was advised that planning permission for the relocated decking won't be required, but there is a need for a formal licence to be drawn up to allow installation of the decking on Arun DC land. Normally the legal costs of drawing up of these licences are charged to the licensee (£300-500), and a rent is levied, however in this case it has been agreed that there will be no rent levied, and that Arun DC will bear the legal cost of drawing up the licence. The cost of lifting, making good and relocating the decking is to be covered by the Town Council (these costs are being offset by the free provision of the legally required licence, and rent-free conditions of same). Once the decking has been moved, Arun DC will survey the beach and draw up the licence.

Having met with the Engineers on site, a new location on a more stable part of the beach has been agreed. This is approx. 60 metres to the west of the current location. Relocation commenced on Monday 22nd January and is due to be completed today (Friday 26th January). Estimated cost excluding labour is in the region of £400 (tubs of screws, some replacement decking boards, digger hire and diesel).

In the Town Force report to the meeting on 29th July 2019 the Town Force Manager advised as follows: -

Seafront decking

We are still waiting for Arun DC to issue a licence for the 3 BRTC owned decking areas located on the Promenade. The original wooden decking does have planning permission however the other 2 plastic ones were installed in partnership with Arun DC and at the time of installation, a licence was not required. This appears to have changed a few years later when in December 2014 we were notified that a licence was not in place, but one would be sent in the New Year. The issue was raised again 3 years later when Arun DC instructed us to relocate one of the decking areas to accommodate the new play area. To date no licence has been received by BRTC despite regular chasers.

A further report from the Town Force Manager to the Committee at the meeting held on 29th March 2021 advised as follows: -

Licences for BRTC Assets on the promenade

A slight progress has been made in this matter when we learnt that Arun DC's solicitor was wondering whether to issue a licence or lease for the BRTC decking. The email further expands on the two options and reads:

Licence

Will require the locations to be fluid, with a clause for the decking to be moved (within defined areas) at ADC request. Moving the decking seems impractical.

Lease

Will allow fixed locations but our solicitor advises that BRTC should have independent legal representation, incurring cost etc. BRTC may have constitutional requirements for entering leases/licenses.

The Arun DC Officer would prefer a lease, to avoid the requirement for periodically moving the decking and has therefore tasked ADC's solicitor with considering this option in more detail.

Once a licence/lease for the decking is in place, the beacon and showers will be dealt with in a similar fashion and will therefore also incur costs for legal representation.

A lease would be much more onerous and expensive than a licence and the Town Council has had licences for both structures on the Highway and even the Town Council offices - neither of which require the locations to be fluid. Legal opinion may be sought on the matter, but this will likely incur additional costs.

As a result of the discussion, with regard to any potential lease or licence for Town Council owned assets located on the Promenade, it was unanimously **AGREED** that further investigations should be undertaken for a potential licence in this matter and that in regard to costs, any decision should be delegated to the Town Clerk in liaison with the Chairman and Vice-Chairman of this Committee, Min. 226.2 of 29th March 2021 refers

As the Committee had decided that a licence would be more appropriate, advice was sought, and the following was reported to Members in the Town Force report to the meeting on 28th June 2021: -

Licences vs. Leases for BRTC Assets on the Promenade

Advice from the Town Council's solicitor for property related matters has been sought and reads as follows: -

The main difference between a licence and a lease, is that a lease is the grant of legal interest in land which gives exclusive possession for a fixed period of time, whereas a licence is merely a personal permission granting licence to occupy or do something on someone else's property. There is nothing that I am aware of that requires a licence to have a fluid location?

Continued.....

From what you say in your email, I cannot see how they can grant anything more than a licence as the Town Council would not appear to have exclusive possession?

The ADC Officer was emailed with the above on 12th April and chased again on 11th June but to date no response has been received as to the ADC requirement for leases, rather than licenses, to be issued.

Despite numerous reminders to ADC since June last year, finally it was reported under the Clerks Report at the last meeting, Min. 6.2 refers, that an update had now been received from ADC's Legal Team, to confirm that the draft lease had now been discussed with colleagues and this would be sent to the Council next week.

A draft lease covering a term of three years for a peppercorn rent has now been received, however it omitted an explanation as to why it is necessary for there to be a lease between the two authorities rather than a licence as is being suggested as the better option. Therefore, the question was again put to the ADC solicitor also making the point that this will result in costly legal expenses as it needs to be outsourced as the Town Council do not have our own legal team being a small authority and will apply not only in relation to the decking on the promenade but also the showers, the beacon and the seafront railing troughs which also need formalising.

The following response has now been received: -

I am aware that this matter has been ongoing for some time and that the initial request was for a Licence to Occupy. Our concern is that a Licence to Occupy could fall within the remits of a lease because there is exclusive possession of a defined premises for a term certain. The Council would want to ensure that the licensee's rights do not amount to exclusive possession of a defined area. I advised the client department to incorporate a 'Designated Area' on the plan within which the decking could be moved around. I understand that your colleague came back to advise that this would not be possible. There was therefore a risk that the arrangement could be construed to be a lease because the decking would be in the same place for the duration of the term, with no rights to move it elsewhere. We have therefore drafted a lease instead of a licence to combat these issues.

It has been suggested that other local authorities have granted licences to the Town Council, and they did not experience any issues with exclusive possession. This may well be the case, but whether an arrangement is a lease, or a licence will depend on its substance, not the label given in a document. We do not feel that a licence is the way forward here and would ask you to consider the draft lease that has been submitted.

In view of the above response from the ADC's solicitor, contact has now been made with the Town Council's solicitor for property related matters to obtain some guidance on the cost to review and advise on the lease prior to this being signed by the Town Clerk and this is still awaited.

Continued.....

One concern that will be raised is the requirement stipulated within the lease to keep the decking clear of shingle. This is not always possible as two of the decking areas get buried underneath shingle in high tides to the point Town Force are not able to shovel the stones off. ADC have cleared them periodically before for the Town Council when they have a digger on site grading the beach, although this appears not to have happened this year.

It should be noted that this responsibility and any relating expenditure would fall to the Town Council going forward in signing the lease and a budget provision will need to be made for this ongoing expenditure.

Members are therefore asked to give delegated authority to the Town Clerk in liaison with the Chairman to proceed with instructing the Town Council's solicitor to review and advise on the draft lease documents for the Town Council's decking located on the promenade once the costs are known, so that this matter can be progressed without the need for further elongated delay.

Similarly, to avoid further delays in finalising this matter, Members are also asked to give delegated authority to the Town Clerk to progress the draft leases from ADC for the seafront showers, beacon and the seafront railing troughs once these are received by instructing the Council's solicitor once again, to review and advise on their content prior to them being signed.

DECISIONS

Do Members **AGREE** to give delegated authority to the Town Clerk in liaison with the Chairman to proceed with instructing the Town Council's solicitor to review and advise on the draft lease documents for the Town Council's decking located on the promenade?

Do Members also **AGREE** to give delegated authority to the Town Clerk to progress the draft leases from ADC for the seafront showers, beacon and the seafront railing troughs once these are received by instructing the Council's solicitor to review and advise on their content prior to them being signed?

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE – 1st AUGUST 2022**

AGENDA ITEM 16 - FINANCIAL REPORTS INCLUDING: -

REPORT BY TOWN CLERK

FOR DECISION

- **TO NOTE COMMITTEE I&E REPORTS FOR THE MONTH OF JUNE 2022 - PREVIOUSLY COPIED TO COUNCILLORS**

The financial reports for the month of June 2022 have been copied to Councillors under separate cover. Members are asked to **NOTE** receipt of these.

- **TO NOTE VERIFICATION OF BANK RECONCILIATIONS WITH THE TOWN COUNCIL'S CURRENT ACCOUNT AND MAYOR'S CHARITY ACCOUNT FOR THE MONTHS OF MARCH AND APRIL (DEFERRED FROM THE LAST MEETING – MIN. 22.2 REFERS), AND MAY AND JUNE 2022 UNDERTAKEN BY THE CHAIRMAN OF THE POLICY AND RESOURCES COMMITTEE IN LINE WITH THE COUNCIL'S FINANCIAL REGULATIONS**

BACKGROUND

As part of the Council's Financial Regulations under the Accounting and Audit (Internal and External) heading it states as follows:

'On a monthly basis and at each financial year end, the Chairman or Vice-Chairman of the Finance Committee shall verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions and noted by the Finance Committee.'

In line with this requirement, the Chairman of the Policy and Resources Committee has previously verified the bank reconciliations with all of the Town Council's bank accounts for the months of March, April, May and June 2022.

DECISIONS

To **NOTE** receipt of the financial reports for the month of June 2022.

To **NOTE** verification of bank reconciliations with the Town Council's Current account and Mayor's Charity account for the months of March, April, May and June 2022, undertaken by the Chairman of the Policy and Resources Committee in line with the Council's Financial Regulations.

**BOGNOR REGIS TOWN COUNCIL POLICY AND RESOURCES MEETING
1st AUGUST 2022**

AGENDA ITEM 17 - CORRESPONDENCE

FOR INFORMATION

- 1.** The Sussex Police & Crime Commissioner - New measures protect victims & ensure offenders spend longer behind bars 01.07.2022 - Circulated to all Councillors
- 2.** BR Herald, News-Views, and Petition 03.07.2022
- 3.** NALC JOB LISTINGS 04.07.2022
- 4.** Neighbourhood alerts July edition – Circulated to all Councillors and on social media 04.07.2022
- 5.** WSCC Health and Wellbeing Board meeting 04.07.2022 – Circulated to all Councillors and on social media
- 6.** VAAC Community Transport Forum – Circulated to all Councillors 05.07.2022
- 7.** NALC EVENTS – Circulated to all Councillors 05.07.2022
- 8.** West Sussex Mind – Training 06.07.2022
- 9.** Travellers update Goring Gap – Circulated to all Councillors 06.07.2022
- 10.** NALC NEWSLETTER 06.07.2022
- 11.** Wayfinding Workshop Invitation reminder – Circulated to all Councillors 06.07.2022
- 12.** WSCC Go Gadgeteer crazy with this year's Summer Reading Challenge – Circulated to all Councillors and on social media 06.07.2022
- 13.** Neighbourhood Alerts Get Safe Online and Cifas launch new Check-a-Website capability – Circulated to all Councillors and on social media 08.07.2022
- 14.** West Sussex County Council: Met Office Level 3 Heat Health Alert – Circulated to all Councillors 08.07.2022 and on social media
- 15.** NALC CHIEF EXECUTIVE'S BULLETIN – Circulated to all Councillors 08.07.2022
- 16.** Neighbourhood Alerts – Arun Weekly Bulletin – Circulated to all Councillors and on social media 08.07.2022
- 17.** INTERNATIONAL FILM REMINDER 11.07.2022
- 18.** Sussex Police and Crime Commissioner – Business Crime Day of Action 08.07.2022
- 19.** NALC – Job Listings 11.08.2022
- 20.** Neighbourhood Alerts – Community Safety Charter launch – Circulated to all Councillors and on social media 11.08.2022
- 21.** Travellers in Angmering – Circulated to all Councillors 12.07.2022
- 22.** NALC EVENTS 12.07.2022
- 23.** Neighbourhood Alerts - Suspicious emails reported by the public – Circulated to all Councillors and on social media 12.07.2022
- 24.** ARUN NEWSLETTER 31 – 12.07.2022
- 25.** Cabinet – 20 July 2022 – Agenda – Circulated to all Councillors 12.07.2022
- 26.** Arun Weekly Bulletin – Circulated to all Councillors and on social media 12.07.2022
- 27.** Angmering/East Preston Travellers – Circulated to all Councillors 13.07.2022
- 28.** WSCC Your Town and Parish Council News July 2022 – Circulated to all Councillors 13.07.2022
- 29.** WSCC Record Office back in business – Circulated to all Councillors and on social media 14.07.2022

- 30.** WSCC Your West Sussex Summer Special – Circulated to all Councillors 14.07.2022
- 31.** Weekly news and updates from VAAC 14.07.2022
- 32.** WSCC Illegal tobacco seized by Trading Standards teams – Circulated to all Councillors and on social media 14.07.2022
- 33.** Bognor Regis BID CONECTING WITH THE BID TEAM-Office staff annual leave – Circulated to all Councillors 14.07.2022
- 34.** Sussex by the Sea Update 14.07.2022
- 35.** Meeting of NALC National Network: Coastal Communities 15.07.2022
- 36.** NALC CHIEF EXECUTIVE'S BULLETIN – Circulated to all Councillors 15.07.2022
- 37.** Neighbourhood Alerts - West Sussex County Council Parent/Carer Online Safety Survey 2022 – Circulated to all Councillors and on social media 15.07.2022
- 38.** The Regis News 15.07.2022
- 39.** The Clerks & Councils *Direct* July 2022 issue 142
- 40.** Copy letter from Mayor, Cllr John Barrett to James Hassett, CEO ADC re: petition changes of provision of services from ADC at the Town Hall
- 41.** Inspirational carbon-cutting stories shared by West Sussex businesses to help other enterprises – Circulated to all Councillors 18.7.2022
- 42.** Sussex Police and Crime Commissioner Anti-social Behaviour Awareness Week- Circulated to all Councillors 15.07.2022
- 43.** Travellers at multiple sites in Arun – Circulated to all Councillors 18.07.2022
- 44.** NALC JOB LISTINGS 18.07.2022
- 45.** Neighbourhood Alerts - WhatsApp scam costs victims £1.5 million – Circulated to all Councillors and on social media 18.07.2022
- 46.** ADC Travellers in Arun update – Circulated to all Councillors 18.07.2022
- 47.** NALC EVENTS – Circulated to all Councillors 19.07.2022
- 48.** Neighbourhood Alerts - Arun Weekly Bulletin – Circulated to all Councillors and on social media 19.07.2022.
- 49.** Travellers on Langmead Recreation Ground East Preston – Circulated to all Councillors 20.07.2022
- 50.** St Wilfrid's E-News - July 2022 – Circulated to all Councillors 20.07.2022
- 51.** NALC STAR COUNCIL AWARDS 2022
- 52.** NALC National Network: Climate Emergency on 28 July - Agenda and Joining details 20.07.2022
- 53.** News and updates from VAAC – Circulated to all Councillors 21.07.2022
- 54.** Vote for your STAR COUNCIL AWARDS 2022 21.07.2022
- 55.** Neighbourhood Alerts - Final Chance to Have Your Say – Circulated to all Councillors 21.07.2022
- 56.** West Sussex Mind Training 21.07.2022
- 57.** WSCC July update: Covid-19 vaccinations, masks return, mental health support, and more – Circulated to all Councillors 21.07.2022
- 58.** WSCC News release - Stuck for free things to do this summer? Take a look at what the County Council has on offer – Circulated to all Councillors and on social media 21.07.2022
- 59.** NALC CHIEF EXECUTIVE'S BULLETIN – Circulated to all Councillors 22.07.2022
- 60.** Sussex Police and Crime Commissioner - Dangerous and anti-social driving will not be tolerated – Circulated to all Councillors 22.07.2022
- 61.** Local Councils *Update* issue 264 August 2022
- 62.** Travellers at Southfields Recreation Ground, Littlehampton – Circulated to all Councillors 25.07.2022
- 63.** Bognor Regis BID - Last week to complete the Term 2 Draft Business Plan Survey – Circulated to all Councillors 25.07.2022

64. NALC JOB LISTINGS 25.07.2022

65. VAAC Upcoming Fundraising Training 26.07.2022