



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 the Bognor Regis Town Council will be held in the Council Chamber, The Town Hall, Bognor Regis at **6.30pm on MONDAY 5th FEBRUARY 2018**

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** to the Committee during an adjournment shortly after the meeting has commenced. (NOTE: Members of the public will be asked to provide their names and addresses and are encouraged to put questions in advance in writing. Priority will be given to written questions. Questions should be restricted to the functions of this Committee.)

Refreshments will be available and any donations to the Mayor's Charity will be gratefully received.

A handwritten signature in black ink, appearing to be 'Glenna Frost', written over a horizontal line.

DATED this 29th day of JANUARY 2018

TOWN CLERK

AGENDA AND BUSINESS

1. Welcome by Chairman and Apologies for Absence
2. Declarations of Interest
3. To welcome Jane Smith, Town Crier for Bognor Regis, and to invite her to report on her recent attendance at the 65th National Town Criers competition held in Hastings
4. To Approve the Minutes of the Meeting held on 4th December 2017
5. ADJOURNMENT for public question time
6. Matters Arising from the Minutes which are not separate Agenda items
7. To receive the Town Force Report
8. To note and receive a report regarding the reform of data protection legislation and introduction of the General Data Protection Regulation in May 2018

9. To consider Arun District Council's request that their revised Code of Conduct be adopted by Bognor Regis Town Council and to receive a report from L.C.S. Ltd on the issue - Min. 119 refers
10. To receive details, including costs, of equipment to register footfalls at events - Min 81 refers
11. To receive an update on the proposal for Billy Bulb to be located for the summer months on a Town roundabout and to agree expenditure for refurbishment works - Min. 88 refers
12. To receive the notes of the meeting of the Arun District Association of Local Councils held 22nd November 2017 (if available)
13. To receive the recommendation from the Events, Promotion and Leisure Committee meeting held 12th June 2017 (Min. 12 refers) that £500 be vired from the Bognor Regis Brand Budget to the Proms in the Park Budget
14. To consider the agenda and arrangements, including location, for the Annual Town Meeting of Electors scheduled for 19th March 2018
15. Internal Audit including:
 - . To review letter of engagement and reconfirm appointment of Internal Auditor for 2018/19
 - . To review the 2018/19 Annual Audit Plan and to consider any additional items for inclusion
16. To consider the Town Council's Annual Assessment/Review of Risks
17. To ratify expenditure of £100 from the Mayor's extra Allowance as a donation to St Wilfrid's Hospice in memory of the late Dougal Maconachie, Councillor for Bognor Regis Town Council
18. To discuss the JWAAC Highways and Transport Sub Group and implications for the Town Council arising from possible changes to the Group's membership
19. To receive a report from the Projects Officer on Town Centre Issues including an update on the BID
20. To ratify the decision taken by the Town Clerk, Mayor and Chairman of the Policy and Resources Committee to proceed with the issue of polling cards for both Ward By-Elections
21. To receive a report from the Civic & Office Manager on the activities of the Town Crier including consideration of attendance at future competitions
22. To receive an update on the works to Olby's clock as agreed at the Council meeting held 3rd July 2017 - Min. 57 refers
23. To consider the recommendation made at the Community Engagement and Environment Committee meeting held 22nd January 2018 that funding be identified for a prize of £100 for the Citizens Award for Young People - Min. 93 refers
24. Rolling Capital Programme - to ratify expenditure of £3,040 plus VAT for 4 x Dell OptiPlex 3050 replacement PCs including installation as part of the on-going rolling replacement programme
25. Financial Reports including: -

- To note Committee I&E Reports for the month of December 2017 – 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 Strategic Documents and then the monthly I&E Reports can be accessed by clicking the appropriate box at the bottom of the page)
 - To note verification of bank reconciliations with the Town Council's Current account, Public Sector Reserve account and Mayor's Charity account for the months of November and December 2017, undertaken by the Chairman of the Policy and Resources Committee in line with the Council's Financial Regulations
26. Correspondence
 27. Picturedrome Site update - Director's report, any urgent actions taken for ratification
 28. To resolve to move to Confidential Business (SO. 31.1) - (contractual)
 29. Town Force: Note of outstanding debtors

Agenda items 27 & 29 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 MONDAY 4th DECEMBER 2017

PRESENT: Cllr. A. Cunard (Chairman); Cllrs: S. Goodheart (from Min. 136),
D. Maconachie, M. Smith, Mrs. J. Warr and P. Woodall

IN ATTENDANCE: Mrs. G. Frost (Town Clerk)
Mrs. S. Norman (Assistant Clerk)
Mr. D. Kemp (Town Council's Accountant)
2 Councillors in the public gallery
1 member of the public

The Meeting opened at 6.33pm

133. WELCOME BY CHAIRMAN AND APOLOGIES FOR ABSENCE

The Chairman welcomed everyone present and read the Council's opening statement. There were apologies for absence received from Cllr. J. Cosgrove, due to annual leave and Cllr. Mrs. S. Daniells.

134. DECLARATIONS OF INTEREST

Members and Officers were reminded to make any declarations of Disclosable Pecuniary and/or Ordinary interests that they may have in relation to items on this Agenda

Members and Officers should declare an interest by stating:-

- a) The item they have an interest in
- b) Whether it is an Ordinary interest and the nature of the interest
- c) Whether it is also a Disclosable Pecuniary interest

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.

In accordance with good practice, individual forms were available to those Councillors present in order that they could personally record their interests - both Disclosable Pecuniary and Ordinary. These forms should be returned to the Committee Clerk at the end of the meeting to enable all declarations of interest to be accurately recorded in the Minutes. Members were reminded that it is their responsibility to notify the Monitoring Officer of all

Disclosable Pecuniary Interests, 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. In addition, the Chairman advised the Councillor in the public gallery that he too would need to declare any interests if he had any and leave the room if Disclosable Pecuniary.

Cllr. Cunard declared a Disclosable Pecuniary Interest in any discussion regarding the Picturedrome Cinema as he is the tenant and advised that he would the leave room should discussion turn to this subject

135. TO APPROVE THE MINUTES OF THE MEETING HELD ON 21st NOVEMBER 2017 AND THE EXTRAORDINARY MEETING HELD ON THE SAME DAY

The Minutes of the Meeting held on 21st November 2017 and the Extraordinary Meeting held on the same day were approved as correct records and signed by the Chairman.

136. ADJOURNMENT FOR PUBLIC QUESTION TIME

The Meeting was adjourned at 6.35pm

A member of the public raised a query regarding the illumination of the seafront lights over the Christmas period and a Councillor questioned the future of JWAAC and any potential contributions by the Town Council.

Cllr. Mrs. Warr declared an Ordinary Interest in Bognor Regis Seafront Lights

The Meeting was reconvened at 6.41pm

137. MATTERS ARISING FROM THE MINUTES WHICH ARE NOT SEPARATE AGENDA ITEMS

The Town Clerk reported that as the meetings had only taken place two weeks prior, any matters arising would be dealt with at the following meeting scheduled for February 2018.

138. TO CONSIDER THE DRAFT BUDGET PROPOSALS FOR 2018/2019 INCLUDING RECOMMENDATIONS FROM COMMITTEES

It was noted that confidential paperwork relating to the proposed budget had been circulated previously by the Town Clerk to all Members.

Members had also received an additional Budget Summary, together with a breakdown of Revenue Expenditure, and the Clerk reminded Members that

these should all be treated as confidential as a final draft will need to be presented to Council for approval in the New Year.

The Chairman welcomed Mr. D. Kemp, the Town Council's Accountant who referred to the Budget Summary and highlighted salient points including:

- i) National pay agreements for local government staff have not been agreed so conservative assumptions have been made as it is prudent to ensure that there is not a shortfall in budget;
- ii) Inflation (CPI) as at September 2017 was 3% and this is usually a standard indicator for the rise in Council Tax;
- iii) As a result of the Council's decision to purchase rather than lease vehicles for Town Force, the Capital Funding Provision will be depleted at the end of the financial year. The budget therefore incorporates an increase in the amount allocated to this Fund;
- iv) The budget as drafted would result in a 3% increase to the Precept which equates to a 3.1% increase or £3.55 per annum to a band D property charge;
- v) The figures have been calculated using the previous year's Tax Base as the current year's figure has not yet been provided by Arun District Council. Any increase in the number of Band D equivalent properties within the 6 Wards would result in a reduction to the figures quoted.

Members discussed the proposals with the following points noted or comment made:

- . Clarification of the purpose of the Capital Funding provision;
- . Removal of toilets contribution from budget;
- . Identification in the Town Council's Annual Newsletter of the specific level of expenditure of the Events rather than a composite total including Projects, Marketing and Events;
- . Cessation of further allocations to the Bognor Regis Brand Budget;
- . As the Corporate Strategy has not been reviewed due to non-availability of Members for the proposed dates, previously identified projects have not been allocated further funds;
- . Possibility of purchase rather than rental for Town Force Lock-Up;
- . How a Parish Poll would be funded as no Budget Line included;
- . Confirmation of the levels of Earmarked and General Reserves.

Cllr. Cunard, as noted earlier at the meeting (Min. 134 refers), declared a Disclosable Pecuniary Interest, as tenant of the Picturedrome Cinema

Cllr. Cunard left the room at 7.17pm

A Member raised the issue of loan repayments in relation to the Picturedrome expansion.

Cllr. Cunard returned to the room at 7.20pm

It was noted that, as with the 2017/18 budget, a sum of £5,000 had been included for the Grant Aid Discretionary Fund. Members discussed at length the future of this initiative and concern was expressed that, in its inaugural year, the applications being received and ultimately awarded funds, were not in line with the original aims and objectives of the Fund. Members were also of the opinion that the name of the initiative did not truly reflect its intentions and a new title, such as Community Grant Fund, may be more appropriate. Finally, the Town Clerk read an email from Cllr. Cosgrove with his comments on this issue including suggestions.

Following the debate, it was **AGREED** that the budget line of £5,000, currently titled Grant Aid Discretionary Fund, should remain but the issue of the name of the initiative, together with its overall objectives and the resulting criteria for applications, should be reviewed by the Community Engagement and Environment Committee and the issue placed on the next available agenda.

Members unanimously **RESOLVED** to **RECOMMEND** to Council the draft budget proposals for 2018/19 as circulated.

Finally, Mr. Kemp reported that whilst a recommendation had been received from the Community Engagement and Environment Committee to reduce the Bognor Regis in Bloom Competition Budget by £150, as any underspend was automatically returned to General Reserves, it had not been necessary to amend the figures to process this small adjustment.

The Chairman thanked Mr. Kemp for his attendance and commended him and the Clerk on their work to produce such a positive budget.

Mr. Kemp left the Meeting at 7.37pm

139. TO DISCUSS PROPOSALS FROM ARUN DISTRICT COUNCIL FOR FUTURE LIAISON ARRANGEMENTS WITH TOWN AND PARISH COUNCILS INCLUDING ESTABLISHMENT OF PLACE PLANS

The Assistant Clerk's report was noted, and it was highlighted that there are three issues from ADC for comment. Firstly, the proposal to hold an Annual conference for all Town and Parish Councils; secondly, the ongoing liaison directly between the Town Council and ADC and thirdly, a new initiative proposed by ADC for Place Plans which will be based around clusters of Town and Parishes, with the clusters meeting regularly to discuss regular items as well as additional topics.

139.1 Members had no strong views on the proposal to hold an annual conference.

- 139.2** With regard to the issue of the ongoing liaison, Members were happy to continue with the 3 meetings per annum and furthermore, felt that the proposed attendees from ADC were appropriate. Comment was made that the current 3 meetings per annum had reduced from 4 meetings in previous years and Members were keen to stress that they would not wish to see this reduce any further. It was also felt that these liaison meetings should be conducted without the public present.
- 139.3** Members discussed the proposal of Place Plans including clustering with the Parishes and it was **AGREED** to comment as follows:
- i. A larger cluster would be considered more appropriate with a suggestion of either Bognor Regis, Aldwick, Paghham, Bersted and Felpham or alternatively a division of the District into East and West with the river used as the boundary
 - ii. No comments regarding regular ADC attendees
 - iii. No comment on the suggestion that regular membership from the parishes to be determined
 - iv. The Local Policing team could be asked to provide regular updates to the cluster meetings
 - v. The cluster meetings should be held in public
 - vi. The start date of June 2018 for the new arrangements was noted
 - vii. The Town Council would be willing to host a meeting but would require reimbursement for room hire and staffing time
 - viii. There were no comments on the establishment of Place Plans

The Meeting closed at 8.01pm

Committee: Policy and Resources**Date: 5th February 2018****Report by: Town Force Manager****Subject: Update on Town Force Activities**

Update on the Street Scene Partnership with West Sussex County Council.

Despite being previously advised that WSCC will pay a lump sum to the Town Council until the 2018/19 financial year, it remains unclear whether their contribution can be used for graffiti removal from non-highway assets. I have written to the Cabinet Member for Highways and am awaiting a reply. In the meantime, the team continues with removing graffiti from all types of properties as per the original terms of the agreement.

Racist graffiti in subways.

Over the past few years, TF have been dealing with racist graffiti in the local subways on a fairly regular basis. We therefore check all 3 subways once a week, remove any graffiti straight away and report it to the Police as well as Arun DC Community Safety Manager. All 3 subways were targeted during/after the Christmas break. The incidents were spotted on 28 December and a member of TF staff was asked to come in and remove it. Unfortunately, photos of the graffiti were also posted on a local Facebook group which meant the racist messages were spread to an even wider audience.

Christmas trees.

Due to high winds, Town Force had to attend to leaning trees on several occasions. Especially the tree at the Station Square was a problem. Although the tree pit was installed specifically for the Christmas tree, it was made too wide and too deep. This has previously been raised with Arun DC but in March 2017 an apology was received for not sorting the issue out before the project money ran out. I got in touch with Arun DC again pointing out the issues we have experienced and was advised that it will be added to the list of things to be fixed. As an interim measure Town Force built a wooden box around the trunk of the tree to add support and filled it with sand bags. Tree stands were also considered and researched but there was no time or budget allocation to get one made. Unfortunately, the picket fence at the Station Square was found in pieces on the morning of 3rd January – it is not known whether the cause was high wind or vandalism. Furthermore, the

decorative star supplied by the tree sponsor was stolen. The William Hardwick tree was stable and didn't need straightening up thanks to the anchor points in the pavement. The Rose Green tree installed for Aldwick PC also had to be straightened up on several occasions. Whilst the trees were in situ, daily checks were carried out.

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).

Planting.

The poor looking Arun Leisure Centre roundabout will be improved in March. The planting plan was put together in cooperation with Ferring Nurseries and includes a mixture of flowering shrubs and carpet roses. Expenditure is coming out of the current budget.

The planter nearest to the Arun Leisure Centre was demolished in an RTA on 20th November. Having obtained the person's details from the Police, the cost of clearing the site and building a replacement planter was claimed back from their insurance company.

Sponsored planting.

2351 (Bognor Regis) Squadron, Royal Air Force Air Cadets have joined the scheme and sponsor a site on the Squareabout. Their sign marks the 100th Anniversary of the Royal Air Force in 2018 and the flower bed will be planted up with red, white and blue summer plants.

Leaders Estate Agents have renewed their contract for another 3 years and have taken on an additional site, also for 3 years.

Posh Paws Nail & Beauty Ltd. and Luv Carpets have renewed for another year and NL Autos for another 3 years.

I am in talks with an interested party about sponsorship of the Orchard Way roundabout site.

Sites remaining to be let: Orchard Way roundabout, Chichester Road planter and Longford Road planter.

Yard and equipment maintenance.

Annual servicing of all equipment has been done in-house this year. Annual PAT testing of all electrical items has also been completed.

Internal redecoration of the yard has taken place and the broken security lights at the back of the yard have also been replaced.

Annual BRTC Asset checks.

Town Force are currently inspecting all BRTC assets.

It would appear that one of the two metal banners in York Road have gone missing. There is a concern that the fixings have become loose and the banners blew away. In view of this, Town Force will be inspecting all metal banners and their fixings on a quarterly basis.

Health Surveillance.

Annual Health Surveillance took place on 11th December and no concerns were identified.

Portsmouth Water standpipe hire.

The standpipe has now been returned to Portsmouth Water. There was no need for it after all as the Adventure Golf contractors were very accommodating.

Odd Jobs for 3rd parties (extra revenue).

- * Arun DC – graffiti removal from various sites;
- * Middleton on Sea Parish Council – miscellaneous jobs to their assets;
- * Hastoe Housing Association – hedge reduction at Northcliffe Road;
- * Picturedrome Cinema – Decorating the Station Christmas tree;
- * South Bersted school – removal and disposal of benches;
- * Toyubur Rahman – Installation and removal of pea lights and removal of Christmas banners from London Road.

Event support.

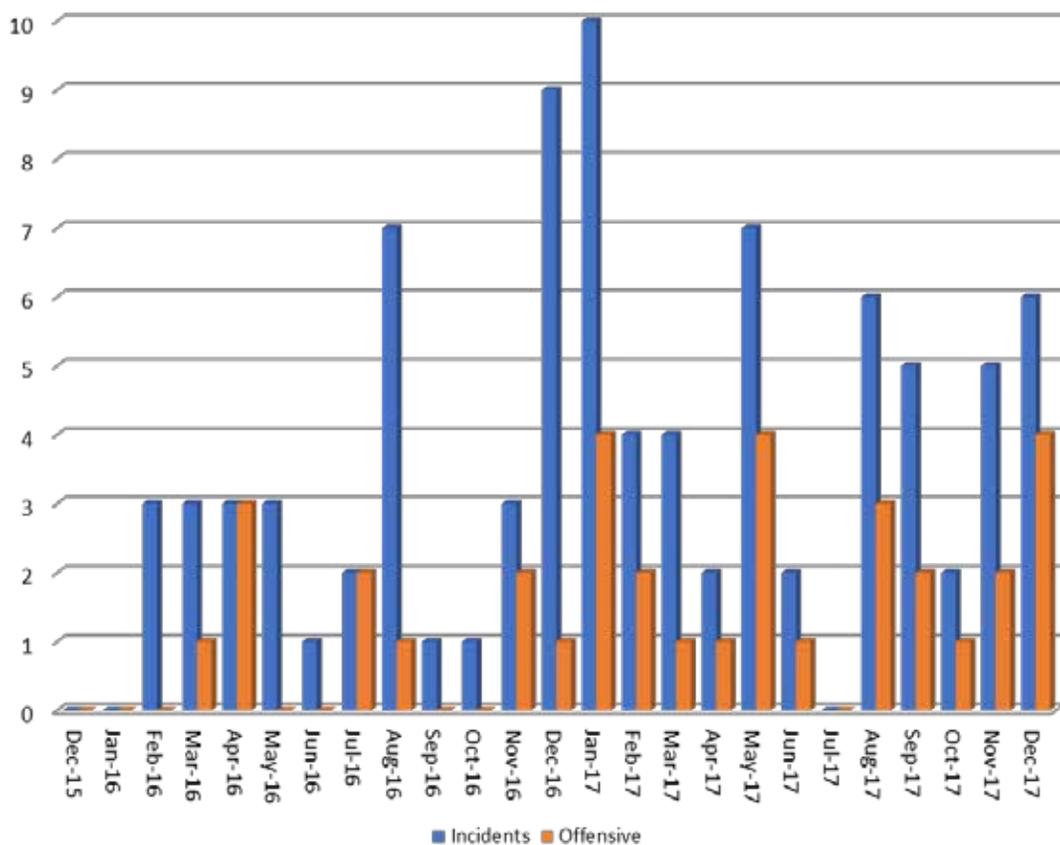
Town Force have supported the following events: Christmas Lights Switch on, Old Town Artisan Market and Hotham Park Carol Concert.

Examples of other jobs.

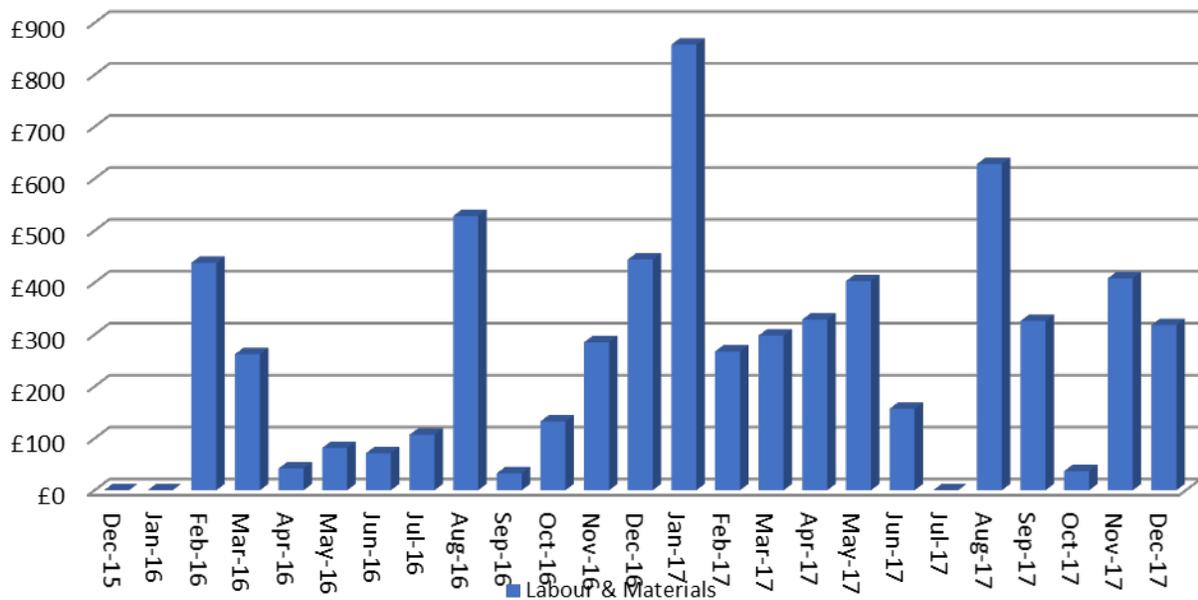
In addition to the routine jobs, Town Force have also repaired 3 x WSCC owned benches under the Street Scene Partnership, removed 2017 event posters, applied 2nd coat of white paint to Waterloo Square hoardings and delivered/collected equipment for the artists, relocated the wind machine from the Foreshore Office to the weather station, cleaned up Aldwick Road planters brickwork, removed pea lights from the London Road trees, returned abandoned shopping trollies to the local supermarkets, bagged up wreaths ready for disposal by ISS.

Street Scene Partnership Graffiti statistics.

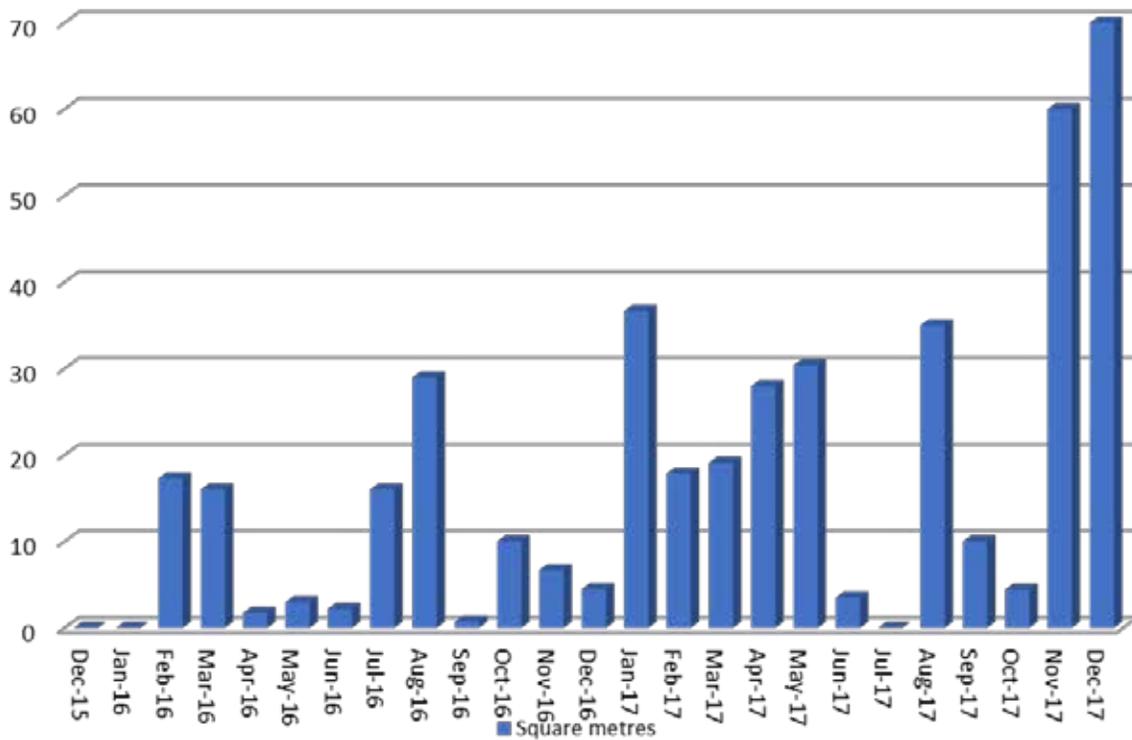
Incidents: 1 December 2015 - 31 December 2017



Labour & Materials: 1 December 2015 - 31 December 2017



Square metres: 1 December 2015 - 31 December 2017



AGENDA ITEM 8

BOGNOR REGIS TOWN COUNCIL POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018

AGENDA ITEM 8 – TO NOTE AND RECEIVE A REPORT REGARDING THE REFORM OF DATA PROTECTION LEGISLATION AND INTRODUCTION OF THE GENERAL DATA PROTECTION REGULATION IN MAY 2018

REPORT BY THE ASSISTANT CLERK

FOR DECISION

In May 2017, NALC issued Legal Briefing L03-17 regarding the reform of data protection legislation and the introduction of the General Data Protection Regulation.

The Data Protection Act 1998 ("1998 Act") is the main piece of legislation which currently governs the protection of personal data.

However, data protection law will change significantly on 25th May 2018 when the 2016 EU Directive known as General Data Protection Regulation ("GDPR") takes effect. The GDPR will effectively replace the 1998 Act which implemented the EU Data Protection Directive. The Government has confirmed that the UK's decision to leave the EU will not affect the commencement of the GDPR in 2018.

As with the 1998 Act, Parish/Town Councils will be subject to the GDPR. Many of the GDPR's principles are the same as those in the 1998 Act. However, GDPR imposed new regulations on data controllers and data processors and provides enhanced rights for individuals.

The Information Commissioner's Office (ICO) has published a guide entitled "Preparing for the General Data Protection Regulation (GDPR) - 12 Steps to Take Now" which is attached as **Appendix 1**.

A further report will be presented to Members at the next meeting of this Committee in April 2018. However, prior to this report, Members will note that the step 11 in the ICO Guide that has been circulated, states that organisations must designate someone to take responsibility for data protection compliance; this person will be titled the Data Protection Officer or DPO and must be appointed on the basis of professional qualities and, in particular, expert knowledge of data protection law and practices and the ability to perform the responsibilities as required.

NALC published guidance on this role which is attached as **Appendix 2**. As Members will note, NALC advice at that time was that most Clerk's and RFO's cannot be designated as a Council's DPO. Furthermore, guidance from the Article 29 Working Party stated:

AGENDA ITEM 8

"As a rule of thumb, conflicting positions may include senior management positions (such as chief executive, chief operating, chief financial, chief medical officer, head of marketing department, head of Human Resources or head of IT departments) but also other roles lower down in the organisational structure if such positions or roles lead to the determination of purposes and means of processing."

Bognor Regis Town Council, as with most Town and Parish Councils, will not have any Officers that are suitably qualified and do not hold a non-conflicting position and therefore it is likely that it will be necessary to make an external appointment.

NALC are currently working on a proposal to develop a national DPO service which Council's will "buy into" along similar lines to the Sector Led Body audit service that came into effect in 2017 for the provision of External Auditors for Local Councils. It is anticipated that more details will be known in time for the report at the next meeting.

The SLCC (Society of Local Council Clerks) have now also provided guidance, attached as **Appendix 3**, and this update demonstrates the confusions and complete lack of clarity on the issue but does suggest that even if it will be legally possible to appoint the Clerk as DPO, for large Councils such as the Town Council, this will not be practical.

Members should also note that there is concern that, due the particularly unusual set up of Councils where there are employed staff and volunteer Councillors, all of whom would be subject to the rules and regulations imposed by the GDPR, expert support would be required to ensure that all legislation is complied with.

For Members information, communication on this issue has also been received from the Local Council Public Advisory Service (LCPAS), a commercial organisation who do offer a Data Protection Officer Service.

Their service will assist with ongoing compliance, undertake an annual visit to check hard copy data and IT security and will also be a point of contact and help the Council comply with requests or breaches. Councils will also receive dedicated updates to forms, policies and briefings. Each Council will receive a service level agreement.

LCPAS will provide a service in line with the DPO's minimum tasks

- To inform and advise the organisation and its employees about their obligations to comply with the GDPR and other data protection laws.
- To monitor compliance with the GDPR and other data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits.
- To be the first point of contact for supervisory authorities and for individuals whose data is processed (employees, customers etc).

AGENDA ITEM 8

and also

- . Provide privacy notices and consents and policies
- . Provide up to date guidance
- . Help manage access requests or requests under the other powers for individuals
- . Manage breaches
- . Visit once a year to check compliance and IT security
- . Provide a report with compliance recommendations

The annual cost including complete package above and travel costs would be £500 for the Town Council.

The Officer recommendation would be to await further information from NALC and SLCC of the exact implications of the GDPR on the Town Council together with the details from NALC of their DPO service offer and when received, for the Committee to consider and make recommendations in time for the new legislation in May this year.

Preparing for the General Data Protection Regulation (GDPR)

12 steps to take now

Preparing for the General Data Protection

Regulation (GDPR) 12 steps to take now



1

Awareness

You should make sure that decision makers and key people in your organisation are aware that the law is changing to the GDPR. They need to appreciate the impact this is likely to have.

2

Information you hold

You should document what personal data you hold, where it came from and who you share it with. You may need to organise an information audit.

3

Communicating privacy information

You should review your current privacy notices and put a plan in place for making any necessary changes in time for GDPR implementation.

4

Individuals' rights

You should check your procedures to ensure they cover all the rights individuals have, including how you would delete personal data or provide data electronically and in a commonly used format.

5

Subject access requests

You should update your procedures and plan how you will handle requests within the new timescales and provide any additional information.

6

Lawful basis for processing personal data

You should identify the lawful basis for your processing activity in the GDPR, document it and update your privacy notice to explain it.

7

Consent

You should review how you seek, record and manage consent and whether you need to make any changes. Refresh existing consents now if they don't meet the GDPR standard.

8

Children

You should start thinking now about whether you need to put systems in place to verify individuals' ages and to obtain parental or guardian consent for any data processing activity.

9

Data breaches

You should make sure you have the right procedures in place to detect, report and investigate a personal data breach.

10

Data Protection by Design and Data Protection Impact Assessments

You should familiarise yourself now with the ICO's code of practice on Privacy Impact Assessments as well as the latest guidance from the Article 29 Working Party, and work out how and when to implement them in your organisation.

11

Data Protection Officers

You should designate someone to take responsibility for data protection compliance and assess where this role will sit within your organisation's structure and governance arrangements. You should consider whether you are required to formally designate a Data Protection Officer.

12

International

If your organisation operates in more than one EU member state (ie you carry out cross-border processing), you should determine your lead data protection supervisory authority. Article 29 Working Party guidelines will help you do this.

Introduction

This checklist highlights 12 steps you can take now to prepare for the General Data Protection Regulation (GDPR) which will apply from 25 May 2018.

Many of the GDPR's main concepts and principles are much the same as those in the current Data Protection Act (DPA), so if you are complying properly with the current law then most of your approach to compliance will remain valid under the GDPR and can be the starting point to build from. However, there are new elements and significant enhancements, so you will have to do some things for the first time and some things differently.

It is important to use this checklist and other Information Commissioner's Office (ICO) resources to work out the main differences between the current law and the GDPR. The ICO is producing new guidance and other tools to assist you, as well as contributing to guidance that the Article 29 Working Party is producing at the European level. These are all available via the ICO's [Overview of the General Data Protection Regulation](#). The ICO is also working closely with trade associations and bodies representing the various sectors – you should also work closely with these bodies to share knowledge about implementation in your sector.

It is essential to plan your approach to GDPR compliance now and to gain 'buy in' from key people in your organisation. You may need, for example, to put new procedures in place to deal with the GDPR's new transparency and individuals' rights provisions. In a large or complex business this could have significant budgetary, IT, personnel, governance and communications implications.

The GDPR places greater emphasis on the documentation that data controllers must keep to demonstrate their accountability. Compliance with all the areas listed in this document will require organisations to review their approach to governance and how they manage data protection as a corporate issue. One aspect of this might be to review the contracts and other arrangements you have in place when sharing data with other organisations.

Some parts of the GDPR will have more of an impact on some organisations than on others (for example, the provisions relating to profiling or children's data), so it would be useful to map out which parts of the GDPR will have the greatest impact on your business model and give those areas due prominence in your planning process.

1

Awareness

You should make sure that decision makers and key people in your organisation are aware that the law is changing to the GDPR. They need to appreciate the impact this is likely to have and identify areas that could cause compliance problems under the GDPR. It would be useful to start by looking at your organisation's risk register, if you have one.

Implementing the GDPR could have significant resource implications, especially for larger and more complex organisations. You may find compliance difficult if you leave your preparations until the last minute.

2

Information you hold

You should document what personal data you hold, where it came from and who you share it with. You may need to organise an information audit across the organisation or within particular business areas.

The GDPR requires you to maintain records of your processing activities. It updates rights for a networked world. For example, if you have inaccurate personal data and have shared this with another organisation, you will have to tell the other organisation about the inaccuracy so it can correct its own records. You won't be able to do this unless you know what personal data you hold, where it came from and who you share it with. You should document this. Doing this will also help you to comply with the GDPR's accountability principle, which requires organisations to be able to show how they comply with the data protection principles, for example by having effective policies and procedures in place.

3

Communicating privacy information

You should review your current privacy notices and put a plan in place for making any necessary changes in time for GDPR implementation.

When you collect personal data you currently have to give people certain information, such as your identity and how you intend to use their information. This is usually done through a privacy notice. Under the GDPR there are some additional things you will have to tell people. For example, you will need to explain your lawful basis for processing the data, your data retention periods and that individuals have a right to

complain to the ICO if they think there is a problem with the way you are handling their data. The GDPR requires the information to be provided in concise, easy to understand and clear language.

The ICO's [Privacy notices code of practice](#) reflects the new requirements of the GDPR.

4

Individuals' rights

You should check your procedures to ensure they cover all the rights individuals have, including how you would delete personal data or provide data electronically and in a commonly used format.

The GDPR includes the following rights for individuals:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object; and
- the right not to be subject to automated decision-making including profiling.

On the whole, the rights individuals will enjoy under the GDPR are the same as those under the DPA but with some significant enhancements. If you are geared up to give individuals their rights now, then the transition to the GDPR should be relatively easy. This is a good time to check your procedures and to work out how you would react if someone asks to have their personal data deleted, for example. Would your systems help you to locate and delete the data? Who will make the decisions about deletion?

The right to data portability is new. It only applies:

- to personal data an individual has provided to a controller;
- where the processing is based on the individual's consent or for the performance of a contract; and
- when processing is carried out by automated means.

You should consider whether you need to revise your procedures and make any changes. You will need to provide the personal data in a structured commonly used and machine readable form and provide the

information free of charge.

5

Subject access requests

You should update your procedures and plan how you will handle requests to take account of the new rules:

- In most cases you will not be able to charge for complying with a request.
- You will have a month to comply, rather than the current 40 days.
- You can refuse or charge for requests that are manifestly unfounded or excessive.
- If you refuse a request, you must tell the individual why and that they have the right to complain to the supervisory authority and to a judicial remedy. You must do this without undue delay and at the latest, within one month.

If your organisation handles a large number of access requests, consider the logistical implications of having to deal with requests more quickly. You could consider whether it is feasible or desirable to develop systems that allow individuals to access their information easily online.

6

Lawful basis for processing personal data

You should identify the lawful basis for your processing activity in the GDPR, document it and update your privacy notice to explain it.

Many organisations will not have thought about their lawful basis for processing personal data. Under the current law this does not have many practical implications. However, this will be different under the GDPR because some individuals' rights will be modified depending on your lawful basis for processing their personal data. The most obvious example is that people will have a stronger right to have their data deleted where you use consent as your lawful basis for processing.

You will also have to explain your lawful basis for processing personal data in your privacy notice and when you answer a subject access request. The lawful bases in the GDPR are broadly the same as the conditions for processing in the DPA. It should be possible to review the types of processing activities you carry out and to identify your lawful basis for doing so. You should document your lawful bases in order to

help you comply with the GDPR's 'accountability' requirements.

7

Consent

You should review how you seek, record and manage consent and whether you need to make any changes. Refresh existing consents now if they don't meet the GDPR standard.

You should read the [detailed guidance](#) the ICO has published on consent under the GDPR, and use our consent checklist to review your practices. Consent must be freely given, specific, informed and unambiguous. There must be a positive opt-in – consent cannot be inferred from silence, pre-ticked boxes or inactivity. It must also be separate from other terms and conditions, and you will need to have simple ways for people to withdraw consent. Public authorities and employers will need to take particular care. Consent has to be verifiable and individuals generally have more rights where you rely on consent to process their data.

You are not required to automatically 'repaper' or refresh all existing DPA consents in preparation for the GDPR. But if you rely on individuals' consent to process their data, make sure it will meet the GDPR standard on being specific, granular, clear, prominent, opt-in, properly documented and easily withdrawn. If not, alter your consent mechanisms and seek fresh GDPR-compliant consent, or find an alternative to consent.

8

Children

You should start thinking now about whether you need to put systems in place to verify individuals' ages and to obtain parental or guardian consent for any data processing activity.

For the first time, the GDPR will bring in special protection for children's personal data, particularly in the context of commercial internet services such as social networking. If your organisation offers online services ('information society services') to children and relies on consent to collect information about them, then you may need a parent or guardian's consent in order to process their personal data lawfully. The GDPR sets the age when a child can give their own consent to this processing at 16 (although this may be lowered to a minimum of 13 in the UK). If a child is younger then you will need to get consent from a person holding 'parental responsibility'.

This could have significant implications if your organisation offers online services to children and collects their personal data. Remember that consent has to be verifiable and that when collecting children's data your privacy notice must be written in language that children will understand.

9

Data breaches

You should make sure you have the right procedures in place to detect, report and investigate a personal data breach.

Some organisations are already required to notify the ICO (and possibly some other bodies) when they suffer a personal data breach. The GDPR introduces a duty on all organisations to report certain types of data breach to the ICO, and in some cases, to individuals. You only have to notify the ICO of a breach where it is likely to result in a risk to the rights and freedoms of individuals – if, for example, it could result in discrimination, damage to reputation, financial loss, loss of confidentiality or any other significant economic or social disadvantage.

Where a breach is likely to result in a high risk to the rights and freedoms of individuals, you will also have to notify those concerned directly in most cases.

You should put procedures in place to effectively detect, report and investigate a personal data breach. You may wish to assess the types of personal data you hold and document where you would be required to notify the ICO or affected individuals if a breach occurred. Larger organisations will need to develop policies and procedures for managing data breaches. Failure to report a breach when required to do so could result in a fine, as well as a fine for the breach itself.

10

Data Protection by Design and Data Protection Impact Assessments

It has always been good practice to adopt a privacy by design approach and to carry out a Privacy Impact Assessment (PIA) as part of this. However, the GDPR makes privacy by design an express legal requirement, under the term 'data protection by design and by default'. It also makes PIAs – referred to as 'Data Protection Impact Assessments' or DPIAs – mandatory in certain circumstances.

A DPIA is required in situations where data processing is likely to result in high risk to individuals, for example:

- where a new technology is being deployed;
- where a profiling operation is likely to significantly affect individuals; or
- where there is processing on a large scale of the special categories of data.

If a DPIA indicates that the data processing is high risk, and you cannot sufficiently address those risks, you will be required to consult the ICO to seek its opinion as to whether the processing operation complies with the GDPR.

You should therefore start to assess the situations where it will be necessary to conduct a DPIA. Who will do it? Who else needs to be involved? Will the process be run centrally or locally?

You should also familiarise yourself now with the [guidance the ICO has produced on PIAs](#) as well as [guidance from the Article 29 Working Party](#), and work out how to implement them in your organisation. This guidance shows how PIAs can link to other organisational processes such as risk management and project management.

11

Data Protection Officers

You should designate someone to take responsibility for data protection compliance and assess where this role will sit within your organisation's structure and governance arrangements.

You should consider whether you are required to formally designate a Data Protection Officer (DPO). You must designate a DPO if you are:

- a public authority (except for courts acting in their judicial capacity);
- an organisation that carries out the regular and systematic monitoring of individuals on a large scale; or
- an organisation that carries out the large scale processing of special categories of data, such as health records, or information about criminal convictions. The Article 29 Working Party has [produced guidance for organisations on the designation, position and tasks of DPOs](#).

It is most important that someone in your organisation, or an external data protection advisor, takes proper responsibility for your data protection compliance and has the knowledge, support and authority to carry out their role effectively.

12

International

If your organisation operates in more than one EU member state, you should determine your lead data protection supervisory authority and document this.

The lead authority is the supervisory authority in the state where your main establishment is. Your main establishment is the location where your central administration in the EU is or else the location where decisions about the purposes and means of processing are taken and implemented.

This is only relevant where you carry out cross-border processing – ie you have establishments in more than one EU member state or you have a single establishment in the EU that carries out processing which substantially affects individuals in other EU states.

If this applies to your organisation, you should map out where your organisation makes its most significant decisions about its processing activities. This will help to determine your 'main establishment' and therefore your lead supervisory authority.

The Article 29 Working party has produced [guidance on identifying a controller or processor's lead supervisory authority](#).

21 DECEMBER 2017

L10-17 | DATA PROTECTION OFFICER

Introduction

Legal briefings L04-17 and L06-17 confirmed that parish councils and parish meetings in England and community councils in Wales are required, under the General Data Protection Regulation (effective on 25 May 2018) and new UK legislation expected next year, to appoint a Data Protection Officer (“DPO”).

The purpose of this briefing is to provide more information about (i) a DPO’s responsibilities and (ii) the person appointed as DPO.

i) The DPO’s responsibilities:

The DPO’s responsibilities are as follows.

- to understand the nature, scope, context and purposes of the council’s or parish meeting’s processing activities and associated risks;
- to be involved in the council’s or parish meeting’s decisions/activities which have data protection law implications;
- to inform, advise and make recommendations to the council or parish meeting in respect of data protection law compliance;
- to monitor and audit the council’s or parish meeting’s compliance with data protection law;
- to raise awareness of data protection law with councillors and staff in a council or with the chairman and staff, if any, of a parish meeting.
- to directly report to the “highest management level” (for a council, this would be full council and for a parish meeting, this would mean its chairman);
- to assist the council or parish meeting in carrying out privacy impact assessments when these are necessary;
- to be the contact point for the Information Commissioner’s Office (ICO) and for data subjects and
- to be consulted by council or parish meeting if a data breach has occurred.

Notwithstanding the remit of the DPO's responsibilities, GDPR confirms that the council or parish meeting is responsible for compliance with data protection law, not the DPO.

ii) The person appointed as the DPO

L04-17 confirms that the DPO may be an internal or external appointment. In other words, the DPO may be a member of staff or appointed under a service contract. A single DPO may be designated for more than one public authority, taking account of their organisational structure and size. This means a group of councils and parish meetings (or other public authorities such as principal authorities) would be permitted to commission the services of the same DPO or DPO business, provided that a DPO is assigned to each organisation. Leaving the issue of costs aside, a DPO who is a member of staff may be more beneficial than an external appointment, not least because he will be more accessible to the organisation and able to respond to issues as they arise.

The DPO must be appointed on the basis of professional qualities and, in particular, expert knowledge of data protection law and practices and the ability to perform the responsibilities described in (i) above .

Although a DPO is allowed to have functions or responsibilities additional to those arising from his DPO role, those other tasks and duties must not conflict with the performance of his DPO responsibilities. This means, in particular, that the DPO cannot hold a position which determines the purposes and the means of the processing of personal data. The need to ensure that a DPO can work without conflict of interests is closely linked to the requirement for the DPO to act in an independent manner.

The Article 29 Working Party, which is made up of the regulatory bodies for data protection law which operate in EU member states (and includes the ICO), has produced useful guidance about the DPO. The guidance states:

“As a rule of thumb, conflicting positions may include senior management positions (such as chief executive, chief operating, chief financial, chief medical officer, head of marketing department, head of Human Resources or head of IT departments) but also other roles lower down in the organisational structure if such positions or roles lead to the determination of purposes and means of processing.”

Can clerks or RFOs be DPOs?

Based on the drafting of GDPR and the guidance from the Article 29 Working Party, it is NALC's view that most clerks and RFOs cannot be designated as a council's DPO. This is because although they may satisfy some requirements of the job, they will not satisfy all of them which are summarised below.

- an absence of conflicts of interests (which may arise from responsibilities as a clerk/ RFO and may include processing activities);
- independence;
- expert knowledge of data protection law and practices and related professional ethics to effectively advise and influence full council and
- adequate time to perform DPO role (many clerks/ RFOs work part-time).

GDPR: Can a Local Council's Clerk also be the Council's Data Protection Officer?

1. As at 14 December 2017, we don't know for certain yet, whether or not a Local Council's Clerk will be able (legally) to double up as the Council's Data Protection Officer ("DPO") under the General Data Protection Regulation ("GDPR").
2. We know what the GDPR says and we know that it comes into force on 25 May 2018. Many of the GDPR provisions will apply to local councils, just as current data protection legislation does. But we don't know yet whether or not there may be any exemptions for local councils. Clause 6 of the Data Protection Bill says, that for the purposes of GDPR, "public authorities" and "public bodies" are public authorities as defined by the Freedom of Information Act 2000 and authorities or bodies specified in regulations. Clause 6 goes on to say that the Secretary of State may also provide by regulations that a public authority, as specified in those regulations, is not a "public authority" or "public body" for the purposes of the GDPR. This means that there is scope for the Secretary of State to exempt small councils from some of the provisions of the GDPR. We have no idea (yet) whether or not that will happen.
3. Let us assume instead that all local councils are going to be "public authorities" for the purposes of the GDPR. If so, these are the bare bones of the DPO requirements, according to the GDPR:
 - 3.1. Every public authority must designate a DPO. (GDPR, article 37(1))
 - 3.2. Public authorities can designate a shared DPO if they want to. (GDPR, article 37(3))
 - 3.3. The DPO can be an employee or a contractor. (GDPR, article 37(6))
 - 3.4. The DPO needs expert knowledge. (GDPR, article 37(5))
 - 3.5. The DPO must be involved in all data protection and personal data issues. (GDPR, article 38(1))
 - 3.6. The DPO must be fairly independent and report directly to the full council. (GDPR, article 38(3))
 - 3.7. The DPO can have other duties, but no conflict of interests must arise. (GDPR, article 38(6))
4. The SLCC asked the ICO for some guidance on the DPO role, but we didn't get any.
5. Our best advice to local council Clerks at the moment is therefore this:
 - 5.1. **If yours is a large council**, with lots of Data Protection issues arising, the Clerk is simply not going to have time to be the Data Protection Officer as well as doing everything else. To put it another way, if your Council already needs a separate RFO, you will want to think about whether or not your council will also need to employ (or have a contract with) a separate DPO.
 - 5.2. **If yours is a small council**, you might want to lobby the Government for a size-based exemption from some of the costs of the GDPR. If that fails, you will need to find a reliable source of good Data Protection advice. The Council may be able to appoint its own Clerk as its DPO. (We think that should be legally possible but we cannot yet be certain.) If that is not possible, the best option might be:

- 5.2.1. to buy a small subscription to a professional DPO service (if available); or
 - 5.2.2. (if you have the skills and knowledge) to have a 'swap system' whereby you are the DPO for a similarly-equipped neighbouring council and their clerk is the DPO for your council.
- 5.3. **If yours is a medium-sized council**, you and your members may lean more towards para 5.1 above or more towards para 5.2. The likely options for a medium-sized council are:
- 5.3.1. Accept that the Clerk will also be the DPO (We think that should be legally possible but we cannot yet be certain.)
 - 5.3.2. Appoint a DPO, just as you might appoint an RFO
 - 5.3.3. Buy in a DPO service from a DPO expert.

BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018

AGENDA ITEM 9 - TO CONSIDER ARUN DISTRICT COUNCIL'S REQUEST THAT THEIR REVISED CODE OF CONDUCT BE ADOPTED BY BOGNOR REGIS TOWN COUNCIL AND TO RECEIVE A REPORT FROM L.C.S. LTD ON THE ISSUE - MIN. 119 REFERS

REPORT BY ASSISTANT CLERK

FOR DECISION

Members will recall that at the November meeting of this Committee, Members received information regarding Arun District Council's new Code of Conduct and were advised that the District Council was seeking support for all Town and Parish Councils, including Bognor Regis Town Council, to adopt their re-drafted Code so that all within the Arun District will have signed up to the same principles and guidance.

As requested the Clerk has arranged further investigation into this issue and has sought the advice of Mr. P. Cooper of L.C.S. Ltd, who was instrumental in the drafting of the Council's current Code of Conduct as recommended for approval by this Committee at the meeting held 9th February 2015 (Min. 134.1 refers).

Mr. Cooper's report on ADC's new, revised Code of Conduct is attached as **Appendix 1** with the recommendation that the Council keep to their current Code and Social Media Policy.

Mr. Cooper has extended his investigations into whether, on the assumption that Members agree with this recommendation to reject the adoption of ADC's Code of Conduct, the Town Council's current Code of Conduct needs any revision.

As Members will read, Mr. Cooper has recommended that a fourth appendix, relating to Planning, be attached to the Code of Conduct. A proposed draft document is therefore attached as **Appendix 2** for consideration.

Finally, Mr. Cooper has suggested that training on the application of the Code and ethical framework should be offered to all Councillors who have not previously undertaken it.

DECISIONS

Do Members **AGREE** and **RECOMMEND** to Council the recommendation of L.C.S. Ltd that the Council should not adopt the revised Arun District Council Code of Conduct?

Do Members **AGREE** and **RECOMMEND** to Council that a fourth appendix relating to Planning, be attached to the Code of Conduct as detailed in **Appendix 2**?

Do Members **AGREE** that training on the application of the Code and ethical framework should be offered to all Councillors who have not previously undertaken it?

**REPORT TO THE POLICY AND RESOURCES COMMITTEE
5TH FEBRUARY 2018**

COUNCILLOR CODE OF CONDUCT

Introduction

As part of LCS Ltd helping Bognor Regis Town Council review its governance, I drafted a report to Council which resulted in a new Code of Conduct for Councillors being adopted by Council on 9th March 2015 which was different to that of Arun District Council and also a related Social Media Policy for Councillors. These were updated on 7th November 2016 when the Social Media Policy was formally integrated as an appendix of the Code, however the provisions remained the same.

Arun District Council has adopted a revised Code of Conduct in November 2017. The Arun Code has previously been adopted by the majority of local councils in its area, with only Bognor Regis and Littlehampton town councils adopting differing codes.

The Town Clerk has asked me to review the Bognor Regis Code and the revised Arun Code and advise on whether the Town Council needs to make any changes.

Background

In my 2015 report, I explained that the Localism Act 2011 introduced a new ethical framework for local government, to replace in July 2012, the outgoing ethical framework introduced in the Local Government Act 2000. The Act also created new provisions (including a criminal offence) in relation to "disclosable pecuniary interests" which needed to be incorporated within the Code of Conduct. I explained the Town Council does not need to adopt the same Code of Conduct as the District Council, but had previously decided to do so, this having the practical advantage of consistency and familiarity to the Monitoring Officer.

At that time, the Arun Code still was still using terms of "Personal" & "Personal and Prejudicial" interests from the previous legislation. It also did not contain the revised principles of public life definitions from 2013 or take in to account Guidance issued by the Department of Communities and Local Government (DCLG) in *Openness and Transparency on personal interests*, of March 2013 & September 2013.

I explained the simplest alternative would be to update the current Code with the revised principles of life, which would keep the commonality with Arun District Council's Code, which is itself based on a model by the Local Government Association (LGA). However, this may not offer the best protection to Members or openness and transparency for the public. (The report further stated that LGA, DCLG and NALC (National Association of Local Councils) had each put forward template Codes of Conduct. A number of legal commentators considered both the LGA and DCLG templates deficient and recommend adopting a revised version of the former code, and NALC recommend a different, more explicit approach.

AGENDA ITEM 9 - APPENDIX 1

I included a review by Peter Keith-Lucas, a prominent private sector solicitor specialising in local government law, and a former local authority chief executive.

"First, the DCLG Code and the LGA Code are so similar, sharing great passages of identical but quite individual drafting, that I can only assume that they derive from a common source document. Someone must have fed the same text to LGA members and to DCLG, and then both made slightly different amendments;

- Both Codes are seriously deficient on confidentiality;*
- The DCLG version leaves out anything to do with treating others with respect, bullying, and politicising staff;*
- Both versions omit anything on equalities.*
-

However, I have a serious concern about whether either Code provides a reasonable basis for addressing member misconduct:

Some members misbehave. Misconduct can seriously damage the effectiveness and reputation of not only the member's own authority but of local government in general. There is no reason to believe that the abolition of the clarity of the old Model Code and the abolition of statutory sanctions for misbehaving members will result in any reduction in the extent to which some members misconduct themselves.

As a general principle, a code which is intended to prevent misconduct should clearly identify what conduct is unacceptable."

I gave two options:

Appendix 1: an updated version of the current Code, containing the latest principles and some added guidance. This did not however address the shortcomings identified above.

Appendix 2: a model more likely to meet the criteria set out above and help the Council's credibility. It was one I have had experience of in East Staffordshire, which whilst closer to that used under previous legislation, had proved robust but avoided many of the former investigations into trivial matters which were a major criticism of the previous framework. Whilst the LGA Code only requires the declaration of "disclosable pecuniary interests" which is the minimum required by law (non-disclosure is indeed a criminal offence). Legislation also defines "ordinary interests" and other codes require these to be disclosed but still allow the councillor to remain in the room and take part in the vote. An example of a councillor voting on a planning application on the house next door. Not a pecuniary interest, but few members of the public would believe that councillor did not have any interest, certainly greater than the majority of other councillors. Why not make it clear and open? A second example would be a councillor being a member of a club or voluntary group applying to the Council for a grant. No financial benefit to the councillor, but clearly an interest exists.

Council chose to adopt the model in Appendix 2 and the related Social Media Guide.

Arun District Council's revised Code

The revised Code is a derivative of their 2012 version. I do not believe it specifically addresses the issues of confidentiality, equality or bullying.

It still does not contain the revised definitions of the principles of public life on which the Code is based.

Strangely, the issue of "ordinary interests" is addressed using the terms "Personal Interests" and "Prejudicial Interests" It effectively divides "ordinary interests" in to two parts, which I believe unnecessarily complicates matters. Also using terms from legislation which has been repealed, may cause confusion.

In summary, the latest Arun Code of Conduct is a substantial improvement, but I would still recommend the Council keeping to their current Code and Social Media Policy.

Does the Town Council's current Code need any revision?

Basically, it is still current and fit for purpose. It may benefit from a fourth appendix, specifically relating to planning.

Training

A number of Councillors underwent training on the Code of Conduct and ethical framework introduced by the Localism Act. It is recommended that any Councillors who have not done so are offered the opportunity.

Recommendations

1. To retain the current Code of Conduct and related Social Media Policy.
2. To adopt an additional appendix specifically relating to planning
3. To agree that training on the application of the Code and ethical framework be offered to all Councillors who have not previously undertaken it.

Peter C Cooper
Local Community Solutions Ltd

Appendix 4. Planning Code of Good Practice for Councillors

1 BACKGROUND AND INTERPRETATION

- 1.1 This Planning Code of Good Practice takes into account the Local Government Association’s Guidance Note: Probity in Planning (2013 version but adapted for use and adoption by the Town Council to supplement its Code of Conduct for Councillors,
- 1.2 In this Code of Good Practice, “Interest”, “Disclosable Pecuniary Interest” and “Ordinary Interest” have the meanings given in the Code of Conduct for Councillors and “Private Interest” means either:
 - 1.2.1 a Disclosable Pecuniary Interest; or
 - 1.2.2 an Ordinary Interest where that interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor’s judgment of the public interest.
- 1.3 The Town Council is not a planning authority, but as an important consultee it is still part of the planning process. It is no longer a statutory consultee, but has the right to be notified by planning authorities if it has requested them to do so. It is important therefore, that their consideration of planning applications in public, are open and fair.
- 1.4 The planning authority will usually be Arun District Council but may be West Sussex County Council for certain matters including mineral extraction, waste disposal and educational establishments.

2 INTRODUCTION

THE AIM OF THIS CODE OF GOOD PRACTICE

- 2.1 To ensure that in the planning process there are no grounds for suggesting that observations by the Town Council have been biased, partial or not well-founded in any way.

THE KEY PURPOSE OF PLANNING

- 2.2 To control development in the public interest.

THE ROLE AS A MEMBER OF THE TOWN COUNCIL

- 2.3 To consider planning applications notified to it and construct observations to be forwarded to the planning authority, openly, impartially, with sound judgement and for justifiable reasons.

WHEN THE CODE OF GOOD PRACTICE APPLIES

- 2.4 This Code of Good Practice applies to Town Councillors at all times when involving themselves in the planning process. This includes when taking part in the meetings of the Council to determine observations to be forwarded to the Planning Authority or when

involved on less formal occasions, such as meetings with officers or the public and consultative meetings. It applies as equally to planning enforcement matters or consultation on site specific policy issues as it does to planning applications.

- 2.5 If Councillors have any doubts about the application of this Code of Good Practice to their own circumstances, they should seek advice early, from their Town Clerk or the District Council's Monitoring Officer.

3 RELATIONSHIP TO THE CODE OF CONDUCT FOR COUNCILLORS

- 3.1 The rules in the Code of Conduct for Councillors adopted by the Town Council must always be complied with first.
- 3.2 The rules in this Planning Code of Good Practice must then be applied. They seek to explain and supplement the Code of Conduct for Councillors for the purposes of planning matters. If a Councillor does not abide by this Code of Good Practice, they may put:
- 3.2.1 the Council at risk of proceedings on the validity of their decision on observations; and
- 3.2.2 themselves at risk of either being named in a report made to the Standards Committee or Town Council or, if the failure is also likely to be a breach of the Code of Conduct for Councillors, a complaint being made to the Standards Committee.

4 DEVELOPMENT PROPOSALS AND INTERESTS UNDER THE CODE OF CONDUCT FOR COUNCILLORS

- 4.1 Councillors must disclose the existence and nature of any Interest at any relevant meeting, including informal meetings or discussions with officers and other Councillors. Interests should preferably be disclosed at the beginning of the meeting or as soon as an interest becomes known.
- 4.2 Where the Councillor has a Private Interest, they must:
- 4.2.1 not participate, or give the appearance of trying to participate, in the making of any decision on the matter by the Council. However, they may address the Committee but only to make a presentation in the same manner that would apply to a normal member of the public, after which they must leave the room whilst the meeting considers it (they must not remain in the public gallery).
- 4.2.2 not try to represent town ward views; they should get another Local Councillor to do so instead.
- 4.2.3 not get involved in the processing of the application.
- 4.2.4 not seek or accept any preferential treatment, or place themselves in a position that could lead the public to think they are receiving preferential treatment, because of their position as a councillor. This would include using their position to discuss that proposal with officers or councillors when other members of the public would not have the same opportunity to do so.
- 4.2.5 be aware that, whilst they are not prevented from seeking to explain and justify a proposal in which they have a Private Interest to an appropriate officer, in person or in writing, the Code of Conduct for Councillors places limitations on them in representing that proposal.

5 FETTERING DISCRETION IN THE PLANNING PROCESS

- 5.1 Councillors must not fetter their discretion, and therefore their ability to participate in discussing planning matters and deciding on representations to be made to the Planning Authority, by making up their mind, or clearly appearing to have made up their mind (particularly in relation to an external interest or lobby group), on how they will vote on any planning matter prior to formal consideration of the matter at the meeting of the Town Council and of their hearing the Town Clerk's advice and evidence and arguments on both sides.
- 5.2 Fettering their discretion in this way and then taking part in making the decision will put the Council at risk of challenge on the grounds of there being a danger of bias or pre-determination or a failure to take into account all of the material considerations enabling the proposal to be considered on its merits.
- 5.3 Councillors are likely to have fettered their discretion where the Council is the landowner, developer or applicant and they have acted as, or could be perceived as being, a chief advocate for the proposal. This is more than a matter of membership of the Town Council which proposes the matter and makes representations to the Planning Authority, but that through their significant personal involvement in preparing or advocating the proposal they will be, or perceived by the public as being, no longer able to act impartially or to determine the proposal purely on its planning merits.
- 5.4 Councillors are able to take part in the debate on a proposal when acting as part of a consultee body (e.g. member of a conservation group), provided:
- 5.4.1 the proposal does not substantially affect the well-being or financial standing of the consultee body;
 - 5.4.2 they make it clear to the consultee body that:
 - 5.4.2.1 their views are expressed on the limited information before them only;
 - 5.4.2.2 they must reserve judgement and the independence to make up their own mind on each separate proposal, based on their overriding duty to the whole parish or town and when it comes before the Town Council and they hear all of the relevant information; and
 - 5.4.2.3 they will not in any way commit themselves as to how they or others may vote when the proposal comes before the Town Council; and
 - 5.4.3 they disclose the Ordinary Interest regarding their membership or role when the Town Council comes to consider the proposal.
- 5.5 Councillors must not speak and vote on a proposal where they have fettered their discretion. They do not also have to withdraw (if they don't have a Private Interest in the matter), but they may prefer to do so for the sake of appearances.
- 5.6 Councillors should explain that they do not intend to speak and vote because they have, or they could reasonably be perceived as having judged (or reserved the right to judge) the matter elsewhere, so that this may be recorded in the minutes.

6 CONTACT WITH APPLICANTS, DEVELOPERS AND OBJECTORS

- 6.1 Councillors should refer those who approach them for planning, procedural or technical advice to the Town Clerk or to Planning Authority officers.
- 6.2 Councillors should not agree to any private meeting with applicants, developers or groups of objectors on their own where they can reasonably avoid it. Where they believe that a private meeting would be useful in clarifying the issues, they should attend with the Town Clerk or other Town Council Officer. The Town Clerk or other officer will then ensure that those present at the meeting are advised from the start that the discussions will not bind the Council to any particular course of action, that the meeting is recorded, and the record of the meeting is disclosed to all other Town Council Members.
- 6.3 Councillors should:
- 6.3.1 follow the rules on lobbying;
 - 6.3.2 consider whether or not it would be prudent in the circumstances to make notes when contacted; and
 - 6.3.3 report to the Town Clerk any significant contact with the applicant and other parties, explaining the nature and purpose of the contacts and their involvement in them, and ensure that this is recorded on the planning file.
- 6.4 In addition, in respect of presentations by applicants/developers, Councillors should:
- 6.4.1 Invite the applicants/developers to present to the whole Town Council or committee, where possible in public, however applicant confidentiality at a pre-application stage must be respected;
 - 6.4.2 ask relevant questions for the purposes of clarifying their understanding of the proposals;
 - 6.4.3 remember that the presentation is not part of the formal process of debate and determination of any subsequent application; this will be carried out by the Town Council if a planning application is subsequently made;
 - 6.4.4 be aware that a presentation is a form of lobbying and they must not express any strong view or state how you or other Councillors might vote. The Town Council may after consideration, forward initial reactions to the proposal, but must make clear these comments are without prejudice to any formal observations to the Planning Authority on a planning application after all information contained in it and other views have been considered

7 LOBBYING OF COUNCILLORS

- 7.1 Councillors must remember that their overriding duty is to the town, taking account of the need to make decisions impartially, that they should not improperly favour, or appear to improperly favour, any person, company, group or locality.
- 7.2 Councillors should not accept gifts or hospitality from any person involved in or affected by a planning proposal. If a degree of hospitality is entirely unavoidable, they must ensure it is kept to a minimum, that its acceptance is declared as soon as possible and that they remember to register interests where their value is over £25 (in accordance with the Council's rules on gifts and hospitality).

- 7.3 Councillors should copy or pass on any lobbying correspondence they receive to the Town Clerk at the earliest opportunity.
- 7.4 Councillors should promptly refer to the Town Clerk any offers made to them of community benefit, through a proposed s.106 Planning Obligation or otherwise.
- 7.5 Councillors should inform the Town Clerk where they feel they have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality). The Town Clerk may refer this matter to the District Council's Monitoring Officer if considered significant.
- 7.6 Unless they have a Private Interest, Councillors will not have fettered their discretion or breached this Planning Code of Good Practice through:
- 7.6.1 listening or receiving viewpoints from residents or other interested parties;
 - 7.6.2 making comments to residents, interested parties, other Councillors or appropriate officers, provided they do not consist of or amount to pre-judging the issue and they make it clear that they are keeping an open mind;
 - 7.6.3 seeking information through appropriate channels; or
 - 7.6.4 being a vehicle for the expression of opinion, provided they explain their actions at the start of the meeting or item and make it clear that, having expressed the opinion or town ward view, they have not committed themselves to vote in accordance with those views and will make up their own mind having heard all the facts and listened to the debate.

8 LOBBYING BY COUNCILLORS

- 8.1 Councillors should not lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals. If they do, they will have fettered their discretion and are likely to have a Private Interest.
- 8.2 Councillors may join general interest groups which reflect their areas of interest and which concentrate on issues beyond particular planning proposals, such as the Victorian Society, CPRE, Ramblers Association or a local civic society, but they must disclose any Interest where that organisation has made representations on a particular proposal and make it clear to that organisation and the Town Council that they have reserved judgement and the independence to make up their own mind on each separate proposal.
- 8.3 Councillors should not excessively lobby fellow councillors regarding their concerns or views nor attempt to persuade them that they should decide how to vote in advance of the meeting at which any planning decision is to be taken.
- 8.4 Councillors must not decide or discuss how to vote on any application at any sort of Political Group Meeting, or lobby any other Councillor to do so. Political Group Meetings should never dictate how Councillors should vote on a planning issue.

9 SITE VISITS

- 9.1 Councillors should attend site visits organised by the Town Council where possible.
- 9.2 Councillors should not request a site visit unless they feel it is strictly necessary because:

- 9.2.1 particular site factors are significant in terms of the weight attached to them relative to other factors or the difficulty of their assessment in the absence of a site inspection.
- 9.3 Councillors should ensure that any information which they gain from the site visit is reported back to the Town Council, so that all Councillors have the same information.
- 9.4 Councillors must ensure that they treat the site visit only as an opportunity to seek information and to observe the site.
- 9.5 Councillors may ask the applicants/developers at the site visit questions or seek clarification from them on matters which are relevant to the site inspection.
- 9.6 Councillors must not express opinions or views to anyone.

10 PUBLIC SPEAKING AT MEETINGS

- 10.1 Councillors must not allow members of the public to communicate with them during the Town Council's proceedings (orally or in writing) other than through the scheme for public speaking, as this may give the appearance of bias.
- 10.2 Councillors must ensure that they comply with the Town Council's procedures in respect of public speaking.

11 OFFICERS

- 11.1 Councillors must not put pressure on either the Town Clerk or Planning Authority officers to put forward a particular recommendation. This does not prevent them from asking questions or submitting views as individuals through the formal consultation process
- 11.2 Councillors must recognise and respect that Planning Authority officers involved in the processing and determination of planning matters must act in accordance with their Council's Code of Conduct for Officers and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct. As a result, planning officers' views, opinions and recommendations will be presented on the basis of their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or Councillors.

12 DECISION-MAKING

- 12.1 Local Councillors may lobby their District or County Councillors but must accept that they in turn must act correctly and must not fetter their discretion. The Town Councillor may request the District or County Councillor to request a proposal to go before the Committee rather than be determined through officer delegation, but must remember that if that councillor does so, that their reasons will need to be stated, recorded and repeated in the report to the Committee.
- 12.2 Councillors should come to the Town Council meetings with an open mind and demonstrate that they are open-minded.
- 12.3 Councillors must make observations based on material planning considerations, in accordance with the Development Plan and any adopted Neighbourhood Plan unless material considerations indicate otherwise.

- 12.4 Councillors must come to their decision only after due consideration of all of the information reasonably required upon which to base a decision. If they feel there is insufficient time to digest new information or that there is simply insufficient information before them, they should request further time or information from the Planning Authority.
- 12.5 Councillors should not vote or take part in the meeting's discussion on a proposal unless they have been present to hear the entire debate, including the Clerk's introduction to the matter.
- 12.6 Councillors should make sure that the reasons for Local Council's decisions are recorded.

13 TRAINING

- 13.1 Councillors should where possible have attended the planning training prescribed by the Town Council.

DRAFT

BOGNOR REGIS TOWN COUNCIL

POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018

AGENDA ITEM 10 - TO RECEIVE DETAILS, INCLUDING COSTS, OF EQUIPMENT TO REGISTER FOOTFALLS AT EVENTS - MIN 81 REFERS

REPORT BY ASSISTANT CLERK

FOR DECISION

Members will recall that at the Committee meeting held 16th October 2017, following the report by the Town Centre Manager, it was agreed that the Council investigate the practicalities and costs of using equipment to measure footfall at Town Council events.

Contact has been made with the supplier of the Town Centre “noggin” units, who has advised that the usual cost for these on a contract is in the region of £25 per month.

As the Town Council would only require them for occasional days throughout the year, the option of daily hire would appear more appropriate and we have been advised that the one-off charge would be broadly similar to that of the monthly charge of £25.

With regard to logistic considerations, the units require a power supply and a mobile phone signal. It should be noted that they are not waterproof and therefore, as the weather can be unpredictable, may not be able to be used on inclement days.

It should also be noted that no budget has been allocated to this initiative and if Members wish Officers to proceed, the necessary funding will need to be identified. Members will also need to agree the events at which the units should be used, and when a decision has been made, a formal quotation will be requested from the supplier for consideration at the next meeting of this Committee.

DECISIONS

Do Members wish to hire in “Noggins” for use at Town Council events?

Which events do Members wish to use the units at?

What budget do Members wish to identify for the expenditure?

BOGNOR REGIS TOWN COUNCIL

POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018

AGENDA ITEM 11 - TO RECEIVE AN UPDATE ON THE PROPOSAL FOR BILLY BULB TO BE LOCATED FOR THE SUMMER MONTHS ON A TOWN ROUNDABOUT AND TO AGREE EXPENDITURE FOR REFURBISHMENT WORKS - MIN. 88 REFERS

REPORT BY ASSISTANT CLERK

FOR DECISION

Members will recall that at the Committee meeting held 16th October 2017, it was agreed that Officers should investigate the possibility of the mascot being located for the summer months on one of the Town's roundabouts (Min. 88 refers).

WSCC Highways have been approached and they have advised that it will not be possible to locate the mascot on any roundabout as this could prove a distraction to drivers.

Members are also invited to note receipt of an invoice for £475.16, from a supplier connected to a serving Member of the Council, for recent refurbishment works undertaken. These works included fabrication to allow his arms and legs to be attached from the outside by one person.

The Member has suggested that more fabrication work will be required if the mascot is required for any after dark events, to simplify the lighting and sound attachments and he can obtain a quote for this, or just for labour to fit the present lighting and sound for each 'after dark' appearance when these occur.

Members are invited to consider this proposal, and advise if they wish quotations to be provided?

DECISIONS

Do Members **AGREE** expenditure of £475.16 for the refurbishment works undertaken to be funded from the remaining balance of the maintenance budget?

Do Members wish to consider further fabrications works and request a quotation for consideration at a future meeting?

Or

Do Members request a quotation for the option of a labour charge only, to fit the present lighting and sound for each "after dark" appearance, for consideration at a future meeting?

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

**AGENDA ITEM 12 - TO RECEIVE THE NOTES OF THE MEETING OF THE
ARUN DISTRICT ASSOCIATION OF LOCAL COUNCIL HELD 22nd
NOVEMBER 2017 (IF AVAILABLE)**

REPORT BY ASSISTANT CLERK

FOR INFORMATION

The notes of the meeting of the Arun District Association of Local Councils held on 22nd November 2017 will be circulated at the meeting if available.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 13 - TO RECEIVE THE RECOMMENDATION FROM THE EVENTS, PROMOTION AND LEISURE COMMITTEE MEETING HELD 12th JUNE 2017 (MIN. 12 REFERS) THAT £500 BE VIRED FROM THE BOGNOR REGIS BRAND BUDGET TO THE PROMS IN THE PARK BUDGET

REPORT BY ASSISTANT CLERK

FOR INFORMATION

At the Events, Promotion and Leisure Committee meeting held 12th June 2017, following discussion, it was agreed to recommend to this Committee that a budget of up to £500.00 be vired from the Bognor Regis Brand Budget to enable a second band to be booked for the Proms in the Park event, if the Twinning Band were not available.

Following investigation, the Twinning band advised that they would not be able to attend, and a second band was duly booked.

DECISION

Do Members **AGREE** to the recommendation that £500 be vired from the Bognor Regis Brand Budget to the Proms in the Park Budget to fund the additional expenditure incurred?

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE - 5th FEBRUARY 2018**

**AGENDA ITEM 14 - TO CONSIDER THE AGENDA AND ARRANGEMENTS
INCLUDING LOCATION FOR THE ANNUAL TOWN MEETING OF
ELECTORS SCHEDULED FOR 19th MARCH 2018**

REPORT BY THE ASSISTANT CLERK

FOR DECISION

The level of attendees is not usually high at the Annual Town Meeting of Electors unless there is a 'hot topic' on the agenda and the Council Chamber usually allows ample space to accommodate the low number of attendees.

There were approximately 14 members of the public present last year, not all of which were Electors. In addition, 12 Town Councillors attended of which only 8 were Electors for the Town.

A copy of the agenda for last year's meeting is attached as **Appendix 1** for information. Consideration will need to be given to what items Members wish to be included to stimulate the debate this year. Members may recall that an invitation to the Police & Crime Commissioner, Mrs Katy Bourne, has already been extended and accepted and she will therefore be attending on the evening as in 2017.

Members are also invited to note that the issue of engagement with the electors at the Annual Town Meeting of Electors was discussed at the meeting of the Community Engagement and Environment Committee held 22nd January 2018 (Min. 85 refers) and those in attendance expressed a desire for more public involvement in the meeting with fewer speakers.

DECISIONS

The Committee is invited to: -

Consider the arrangements for this year's meeting to include the location and confirmation of the time that the meeting should commence.

To consider items for inclusion on the agenda.



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

ANNUAL TOWN MEETING OF ELECTORS FOR 2017

The Annual Town Meeting will take place **in the Council Chamber at the Town Hall, Bognor Regis at 7pm on Monday 13th MARCH 2017**. The Chairman of the Meeting will be the Town Mayor.

The Meeting is primarily intended for persons registered as local government electors for the Town & Parish of Bognor Regis. However, all members of the Public and Press are most welcome to attend. Any matters affecting the Parish may be discussed. County and District Councillors are being invited to attend. **Only persons registered as local government electors for the Town & Parish of Bognor Regis are entitled to vote at the Meeting.**

AGENDA

1. Welcome by the Town Mayor and introduction of Councillors present
2. To approve and sign the **Minutes** of the Town Meeting of Electors held on Monday 14th March 2016 and any **Matters Arising**
3. To receive the **Annual Report** of the Council
4. To receive the **Accounts** of the Town Council year ending 31st March 2016 and Budget for 2017-2018
5. To receive the **Accounts** of the Bognor Pier Company Ltd. year ending 31st December 2016 (if available)
6. To consider **Resolutions** of which written notice has been given by **Friday 10th March 2017**
7. Open Forum with questions to Councillors/Attendees

DATED this 27th day of February 2017

Town Mayor

Town Clerk

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 15 - INTERNAL AUDIT INCLUDING: TO REVIEW LETTER OF ENGAGEMENT AND RECONFIRM APPOINTMENT OF INTERNAL AUDITOR FOR 2018/19; TO REVIEW THE 2018/19 ANNUAL AUDIT PLAN AND TO CONSIDER ANY ADDITIONAL ITEMS FOR INCLUSION

REPORT BY ASSISTANT CLERK

FOR DECISION

To review letter of engagement and reconfirm appointment of Internal Auditor for 2018/19

Bognor Regis Town Council employs the services of Auditing Solutions Ltd. who carry out the Town Council's Internal Audit and visit three times a year to undertake this work. Following each visit, a written report is submitted to Members to highlight any areas of concern or raise any issues. As Members may recall, in line with good practice, this appointment was reviewed last year and following a tender process, Auditing Solutions Ltd. were reappointed as the Town Council's Internal Auditor.

A copy of the 'Letter of Engagement' will be available at the meeting.

DECISION

The Committee is invited to review the letter of engagement and reconfirm the appointment of Auditing Solutions Ltd. as the Town Council's Internal Auditor for 2018/2019.

To review the 2018/2019 Annual Audit Plan and to consider any additional items for inclusion

Regulation 3 of the Accounts and Audit Regulations 2015 states that:

"A relevant authority must ensure that it has a sound system of internal control which –

- a) Facilitates the effective exercise of its functions and the achievements of its aims and objectives;*
- b) Ensures that the financial and operational management of the authority is effective; and*
- c) Includes effective arrangements for the management of risk"*

Furthermore, Regulation 5(1) states that the Council:

' . . . must undertake an effective internal audit to evaluate the effectiveness its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance'.

Internal auditing is an independent, objective assurance activity designed to improve an organisation's operations. It helps an organisation accomplish its objectives by

bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

The purpose of internal audit is to review and report to the authority on whether its systems of financial and other internal controls over its activities and operating procedures are effective.

The internal audit function must be independent from the management of the financial controls and procedures of the authority which are the subject of review. The person or persons carrying out internal audit must be competent to carry out the role in a way that meets the business needs of the authority. It is for each authority to decide, given its circumstances, what level of competency is appropriate, and to keep this issue under review.

Internal audit is an on-going function, undertaken regularly throughout the financial year, to test the continuing existence and adequacy of the authority's internal controls. It results in an annual assurance report to members designed to improve effectiveness and efficiency of the activities and operating procedures under the authority's control. Managing the authority's internal controls is a day-to-day function of the authority's staff and management, and not the responsibility of internal audit.

It is a matter for the Council to determine the necessary scope and extent of its internal audit. When securing an internal audit service, the Council must make sure that it is fit for the purpose for which it is required at that particular Council.

The internal audit enables the Council to confirm, in item 6 of Section 1 of the Annual Return, (The Annual governance statement) that:

'We maintained throughout the year an adequate and effective system of internal audit of the council's accounting records and control systems.'

In order to make this statement the Council should be able to confirm that they have arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of the Council.

ANNUAL AUDIT PLAN FOR 2018/2019

The minimum level of coverage in the Annual Audit Plan is defined by the following eleven key control tests:

- 1. Proper book-keeping** - Appropriate books of account have been properly kept throughout the year.
- 2. Financial Regulations, Standing Orders and Payment Controls** - The council's financial regulations have been met, payments were supported by invoices, expenditure was approved and VAT was appropriately accounted for.
- 3. Risk Management** - The council assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.
- 4. Budgetary controls** - The annual precept requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.
- 5. Income controls** - Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.
- 6. Petty cash procedure** - Petty cash payments were properly supported by receipts, expenditure was approved and VAT appropriately accounted for.

7. Payroll controls - Salaries to employees and allowances to members were paid in accordance with council approvals, and PAYE and NI requirements were properly applied.

8. Asset control - Asset and investment registers were complete and accurate and properly maintained.

9. Bank reconciliation - Periodic and year-end bank account reconciliations were properly carried out.

10. Year-end procedures - Accounting statements prepared during the year were prepared on the correct income and expenditure basis, agreed with the cash book, were supported by an adequate audit trail from underlying records, and, where appropriate debtors and creditors were properly recorded.

11. Payment controls - Procedure, approvals and associated issues including VAT identification and recovery

DECISION

The Committee is invited to review the key control tests above and consider any additional items for inclusion prior to **RECOMMENDING APPROVAL** of the Audit Plan for 2018/2019 to the Town Council.

BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE - 5th FEBRUARY 2018

AGENDA ITEM 16 - TO CONSIDER THE TOWN COUNCIL'S ANNUAL ASSESSMENT/ REVIEW OF RISKS

REPORT BY ASSISTANT CLERK

FOR DECISION

Copies of the Action Plan and Overall Summary of the Annual Assessment/ Review of Risks for 2017/2018 are attached for Members' consideration as **Appendix 1**.

DECISION REQUIRED BY MEMBERS

To consider the Action Plan and Overall Summary of the Annual Assessment/ Review of Risks for 2017/2018 and **RECOMMEND** that these be referred to the Town Council for approval.

Once approved by Council, the Action Plan to be signed by the Town Mayor, as Chairman of the Council, and the Town Clerk.



Bognor Regis Town Council
Assessment for year 2017 To 2018

LCRS 7b - All Action Plans

Action completed

Ref	Risk	Hazard	Control	Likelihood Impact	Score	Action to be taken	Action by person/position	Action by date	
Employment of Staff									
358	Professional	Loss of key staff	Ensure procedures for key functions are documented. Regular staffing reviews	High High	9	Comprehensive Job Descriptions for all positions have been completed but procedures for key functions and for key staff activities are on going and remain to be completed.	Town Clerk and Assistant Clerk	31/12/2018	<input type="checkbox"/>
Land									
27	Administration/ Legal	Maintenance and Security of Deeds of ownership etc.	Determine responsibility for security. Ensure that all deeds and relevant documentation held in fire proof cabinet/safe or otherwise deposited with appropriate third party for safe keeping. Maintain a copy of each deed for administrative purposes.	High High	9	To be investigated.	Town Clerk	31/12/2018	<input type="checkbox"/>
Provision of Office Accommodation									
349	Physical	Poor Office Conditions - Town Hall and Town Force lockup	Arrange periodical inspection of office and Town Force lockup. Any adverse conditions are reported to ADC or BRTC as appropriate Repair/maintenance etc.carried out by ADC or BRTC Health & Safety Annual inspection carried out by contractor	Medium Medium	4	Clearance of paperwork to electronic media remains an ongoing project.	Town Clerk	31/12/2018	<input type="checkbox"/>



LCRS 7b - All Action Plans

Action completed

Ref	Risk	Hazard	Control	Likelihood Impact	Score	Action to be taken	Action by person/position	Action by date
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No of issues listed: **3**

Submitted to council: _____

Minute reference: _____

Date: _____

Signed by chairperson - Cllr Phil Woodall _____

Signed by responsible Finance officer - Glenna Frost _____

How to complete (individual risk section):

1. *Action to be taken - brief description of proposed action that will be taken to control this risk, including any Insurance or Health and Safety issues.*
2. *Action by person - the name or names of the persons taking the relevant actions.*
3. *Action by date - the proposed date that this action should be completed by.*
4. *Action completed - that the proposed action has been taken (ticked) (not recorded on LCRS .*



LCRS 6. Overall Summary

Bognor Regis Town Council Assessment for year 2017 To 2018

Area	Duty	No of risks	Number scored	Avg Score	No of uncontrolled Risks (>3)	Your action plan rank
Allotments	Powers to provide allotments Duty to provide allotment gardens if demand unsatisfied	20	20	1.0	0	
Clocks	Power to provide public clocks	5	5	1.0	0	
Code of Conduct	Duty to adopt a code of conduct	1	1	1.0	0	
Computing	Power to facilitate discharge of any function	3	3	1.3	0	
Council Meetings		4	4	1.3	0	
Council Property and Document	Duty to disclose documents and to adopt publication scheme	5	5	1.2	0	
Data Protection	Duty of Notification and Duty to Disclose (subject access)	2	2	1.0	0	
Employment of Staff	Duty to Appoint	9	9	1.9	1	1
Entertainment and the arts	Provision of entertainment and support of the arts	14	14	1.0	0	
Financial Management	Duty to ensure responsibility for financial affairs	12	12	1.0	0	
Gifts	Power to accept	1	1	1.0	0	
Land	Power to acquire by agreement, to appropriate, to dispose of land Power to accept gifts of land	5	5	2.6	1	2
Litter	Power to provide receptacles; Duty to empty & cleanse those provided	6	6	1.0	0	
Local functions	N/a - Local group to cover any risks not listed in other groups	3	1	1.0	0	
Meetings of the Council	Duty to meet	5	5	1.2	0	
Newsletters	Power to provide from 'free resource'	5	5	1.2	0	
Planning & Development Contr	Rights of consultation	2	2	1.0	0	
Provision of Office Accommod	Power to provide	5	5	1.6	1	3
Provision of Website/Internet	Power to provide from 'free resource'	2	2	1.0	0	
Shelters & Seats	Power to provide	3	3	1.0	0	
Street/Footway Lighting	Power to provide	8	8	1.0	0	



LCRS 6. Overall Summary

Bognor Regis Town Council Assessment for year 2017 To 2018

Area	Duty	No of risks	Number scored	Avg Score	No of uncontrolled Risks (>3)	Your action plan rank
Tourism	Power to contribute to organisations encouraging tourism	4	4	1.0	0	
Village Signs	Power to erect (with Highway Authority approval)	5	5	1.0	0	
Web Sites		18	18	1.0	0	
Overall totals/ scores		147	145	1.2	3	

Completed by:

Date:

Position:

How to complete:

1. Review each area and the number of uncontrolled risks.
2. Decide which area is at most risk and should be actioned firstly mark this as number One.
3. Repeat on all areas until all uncontrolled areas are allocated.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

**AGENDA ITEM 17 - TO RATIFY EXPENDITURE OF £100 FROM THE
MAYOR'S EXTRA ALLOWANCE AS A DONATION TO ST WILFRID'S
HOSPICE IN MEMORY OF THE LATE DOUGAL MACONACHIE,
COUNCILLOR FOR BOGNOR REGIS TOWN COUNCIL**

REPORT BY ASSISTANT CLERK

FOR DECISION

As Members are aware, as the late Dougal Maconachie was a serving Town Councillor, Members agreed to a donation of £100 to his family's nominated recipient, St Wilfrid's Hospice. This donation would be funded through the Mayor's extra Allowance which is provided to ensure adequate provision is available for funding items/events which are not covered within the LGA. Members are therefore asked to ratify this decision.

DECISION

Members are asked to **RATIFY** the donation from the Mayor's extra Allowance of £100 to St Wilfrid's Hospice in memory of the late Dougal Maconachie

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

**AGENDA ITEM 18 - TO DISCUSS THE JWAAC HIGHWAYS AND
TRANSPORT SUB GROUP AND IMPLICATIONS FOR THE TOWN
COUNCIL ARISING FROM POSSIBLE CHANGES TO THE GROUP'S
MEMBERSHIP**

REPORT BY ASSISTANT CLERK FOR INFORMATION/DECISION

Members may recall that the future arrangements for administrative support of the Highways & Transport Sub Group (HTSG) were discussed by this Committee at the meeting held on 30th November 2015 (Min. 120 refers) and at that time, it was agreed that the Council should support the proposals for Town and Parish Councils to contribute £164 to WSCC for the administration of the Sub Group.

No further communication was then received until November last year as was noted at the Committee meeting held 21st November 2017 (Min. 125 refers).

WSCC have now updated those involved and advised that there are still HTSG member Councils that have not responded with their decision as to whether to continue as a group member with a financial contribution.

From the responses received thus far, four Councils wish to continue with the group providing financial support, five Councils do not wish to continue with the Sub Group and six Councils are still to respond.

WSCC have confirmed that currently, the agreed contributions from those wishing to continue will not be enough to continue the Secretariat support from West Sussex County Council.

The suggestion has been made that HTSG Councils may wish to consider alternatives to continuing, such as the model that the JEAAC Highways & Transport Group use. The Group is administered by the Town and Parish Councils in the area in that they provide the administrative support for the meeting including the venue, coordinating the agenda and taking minutes. Each Town or Parish Council undertakes the role for one year on a rotational basis.

This will be discussed and agreed at the next meeting of the group to be held 6pm on 6th February 2018. As Members are aware, as was noted at the Council meeting held 8th January 2018, Mr. D. Barnes was the Council's Representative to the HTSG but following his resignation, it has already been agreed that the Reserve Representative, Cllr. Goodheart, will attend the meeting on behalf of the Council and report back on the way forward.

DECISION

Do Members have any comments on the future of the JWAAC Highways & Transport Sub Group, or the proposal to adopt a model similar to that used under JEAAC, to be relayed by Cllr. Goodheart at the next meeting?

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 19 - TO RECEIVE A REPORT FROM THE PROJECTS OFFICER ON TOWN CENTRE ISSUES INCLUDING AN UPDATE ON THE BID

REPORT BY PROJECTS OFFICER

**FOR INFORMATION
AND DECISION**

Town Centre Issues

Shoplifting and vagrancy continues to be a problem and traders are concerned about the lack of police presence and the response to 101 reporting. A meeting with the Business Wardens and Sussex Police regarding Funding and Operational Delivery is scheduled for 27th February.

The Town Centre Manager Op's/ Traders Association meeting is scheduled for the 30th January and notes from this meeting will be circulated at the meeting if available.

BID

A meeting of the Shadow Board was held on Monday 15th January 2018. This was a last-minute change of date from the previously agreed 11th January 2018 to enable the ADC representative to attend. Unfortunately, the Projects Officer was unable to attend the new date due to a longstanding booking for a training course.

The setting up of the BID Company is proving to be a slow process in particular, the Memorandum of Articles (MA). However, these were agreed at the BID meeting in January and it is hoped completion of the BID Company set up will now be by the end of February. Whilst the minutes of the meeting are not yet available the situation appears to be that BRTC could now elect to fall into "Class D", a member of the BID Company at the discretion of the BID Directors and subject to a minimum voluntary levy of £90.00 p/a.

Members should be reminded that BRTC have agreed to continue to fund the post of TCM until October, in spite of the initial understanding that the BID Manager position would commence in April. However, the TCM has now advised that the appointment of the BID Manager will not now take effect until October 2018, at the end of the current TCM Manager agreement (further details below).

Due to conflicting reports from attendees at the meeting regarding the Town Council's status, further clarification was sought, and the following response received from the Chairman of Bognor Regis Traders Association:

- 1) *The Town Council are not automatically eligible to become a Member of the BID company of any class because it is not a levy-payer. However, the BID (Shadow) Board sees BRTC as a key partner and it is therefore certain that the BRTC will be asked to attend Board and Working Group/Committee meetings as appropriate for a key stakeholder*

- 2) ***IF*** *the BRTC wished to become a Member of the BID company it could do so by offering a voluntary contribution of at least £90: this would entitle BRTC to become a Class D member with the associated rights therein. This would not affect 1), is entirely voluntary and the Town Council do not need to do this to remain involved in the BID*

Further advice from the Town Centre Manager, Toyubur Rahman, stated that given the Town Council's wish to remain involved in the BID Company in an advisory (rather than decision-making or voting) capacity, there is no requirement for the Town Council to be a member of the Company. This is because BRTC's future attendance/involvement at the BID Board, run by the BID Directors, will be at the behest of the Directors alone, as will all non-business partners including ADC. However, it should be noted that ADC, as per the circulated MA, are in their own category C which entitles them to vote at General Meetings.

DECISION

Members are invited to **AGREE** whether they wish to become a member of the BID Company including the payment of a contribution of at least £90 per annum noting that this membership will not entitle the Town Council to a vote?

Members should also note that Toyubur Rahman, the current Town Centre Manager, has been appointed to the post of BID Manager. The BID Board agreed to offer him the position at their meeting on the 14th December. Toyubur will continue to be employed by the University and seconded to the BID Company. Some members of the Board raised concerns over the lack of transparency for such an important role by not following a formal recruitment process and further concerns as to how the BID Board would be able to monitor performance if the position was not directly employed by the BID Company itself. The University had stated that if a recruitment process was put in place then they would take no part and would provide a Job Description for the role but nothing more.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 20 - TO RATIFY THE DECISION TAKEN BY THE TOWN CLERK, MAYOR AND CHAIRMAN OF THE POLICY AND RESOURCES COMMITTEE TO PROCEED WITH THE ISSUE OF POLLING CARDS FOR BOTH WARD BY-ELECTIONS

REPORT BY ASSISTANT CLERK

FOR DECISION

Members are invited to note that, ADC have informed the Town Clerk that they have now received valid requests for the District By-Election (following the death of Dougal Maconachie) and the two Town Council By-Elections (following the death of Dougal Maconachie and the resignation of Dan Barnes). They intend to hold them all on Thursday 22nd February 2018 due to a short timeframe for the district election period and, recognising that combining the two Marine By-Elections will save costs. With Hatherleigh being such a small electoral area, they feel it makes sense to include this on the 22nd as well.

ADC are planning on having a combined poll card for Marine for the District Council and the Town Council as the costs can then be shared and have requested confirmation that the Town Council would like the details of their By-Election printed on the poll card.

Due to the short timescale, it has been necessary for the Town Clerk to liaise with the Mayor and the Chairman of the Policy and Resources Committee regarding this matter. Historically the Town Council has usually opted for poll cards as the view has been that not to have them would be likely to have a significant impact on the turnout of the election. It has therefore been agreed to issue polling cards for both Ward By-Elections.

DECISION

Members are invited to **RATIFY** the decision to proceed with the issue of polling cards for both Ward By-Elections.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

**AGENDA ITEM 21 - TO RECEIVE A REPORT FROM THE CIVIC & OFFICE
MANAGER ON THE ACTIVITIES OF THE TOWN CRIER INCLUDING
CONSIDERATION OF ATTENDANCE AT FUTURE COMPETITIONS**

REPORT BY CIVIC & OFFICE MANAGER

**FOR DECISION
AND INFORMATION**

Appearances

Since the last Town Crier update, given at the Policy and Resources Meeting, held on 21st November 2017, the Town Crier was booked to attend at;

- the opening of the 'Ice Skating on the Prom' ice rink
- the Bognor Old Town Christmas Artisan Market
- the Christmas Market at Amberley Museum & Heritage Centre
- 'Carols in the Park' organised by Hotham Park Heritage Trust
- Bognor Regis Swimming Club's New Year's Day Dip

Jane also supported at the Town Council's Christmas Illuminations Switch-On event.

Additionally, an interview with Jane was featured in 'The Crier – The Official Journal of the Ancient & Honourable Guild of Town Criers', Autumn/Winter Edition.

Future Confirmed Appearances

The Town Crier has been booked to attend at the following future events;

- To give a talk to members of the WI Group based in Portchester, Hampshire (January 2018)
- To attend, with fellow members of the Ancient & Honourable Guild of Town Criers, a recruitment drive being organised by Salisbury City Council, in conjunction with radio station Spire FM, to attract applicants to the role of Salisbury Town Crier (February 2018)
- To attend the Ancient & Honourable Guild of Town Criers' Board Meeting, on which Jane has been invited to become a Board Member (March 2018)
- To take part in the 'Walk the Night – United Against Cancer' half-marathon taking place in London, at which Jane will walk through the night in full regalia (July 2018)
- To partake in an international project, 'A Cry for Peace Around the World', as part of the 'Battle's Over – A Nations Tribute' commemorative event marking the 100th Anniversary of the end of WW1. Town Criers from around the world, starting off in New Zealand, will 'Cry' at 7.05pm local time and pay tribute to those Town Criers that lost their lives during WW1 (November 2018).

Jane has also been provided with a list of preliminary dates for Bognor Regis Town Council organised events at which she will attend.

Promotion

Efforts continue to be made in raising awareness of the role of the Bognor Regis Town Crier in the following ways;

- Details for hiring the Town Crier are sent in response to every Mayoral Engagement enquiry received
- Contact is being made with the organisers of large annual events in, and around, Bognor Regis offering information on hiring the Town Crier
- Discussions are taking place with Butlin's, regarding regular appearances of the Town Crier in resort
- Plans are in place to produce a high-quality flyer, from funds available within the Town Crier's budget, that will then be distributed amongst a variety of local corporations, educational establishments, and Wedding Fair organisers, for instance
- An article, about the Bognor Regis Town Crier, will be written and submitted for publication in the 'Clerks & Councils Direct' magazine
- Consideration is being given to the Bognor Regis Town Crier spending a day in London 'Crying' about the seaside resort of Sunniest Bognor Regis, and possibly handing out the Town Council's 2018 Events flyers

Competitions

At the Policy and Resources Meeting, held on 31st July 2017, Members **RESOLVED** that "Following attendance at the Hastings Competition that the Crier be invited to attend a meeting of the Policy and Resources Committee to discuss how attendance had benefited the Town. Consideration would then be given for attendance at other Town Crier Competitions" (Min. 43 refers).

DECISION

Having received a verbal report from the Town Crier, Jane Smith, about participation in the Hastings Competition, do Members **AGREE** to the Bognor Regis Town Crier participating in further competitions, with travel expenses paid from the Town Criers Budget?

If so, do Members **AGREE** that the participation of the Bognor Regis Town Crier in further competitions be: limited to a certain number of competitions each financial year; or at an agreed maximum level of expenditure, in covering travelling expenses, each financial year?

The Town Crier Budget for 2018/2019 will be reduced by £1,000, compared to the current Financial Year, to an agreed amount of £2,000. Mindful of the need for repairs, alterations and/or replacement of the Town Crier uniform, do Members **AGREE** that any balance remaining at 31st March, in the current budget, be earmarked along with any income received for the Town Crier?

Do Members **AGREE** to **RECOMMEND** to Council that the Bognor Regis Town Crier be permitted to choose two charities, each year, to whom the Town Crier would be available, at an agreed number of events, for the basic administration charge of £20.00 only for the duration of each event?

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

**AGENDA ITEM 22 - TO RECEIVE AN UPDATE ON THE WORKS TO OLBY'S
CLOCK AS AGREED AT THE COUNCIL MEETING HELD 3rd JULY 2017 -
MIN. 57 REFERS**

REPORT BY CIVIC & OFFICE MANAGER

FOR INFORMATION

The mechanism for supplying power to the clock has successfully been relocated, by an engineer provided by Cumbria Clocks Ltd., and is now accessible from an external location rather than from within what is to become a residential property.

The shield on the side of the drum, stating the 'Established...' date of the company name displayed on the clock face, was removed by the Town Council's Town Force Team and altered using locally based companies. Doing so was deemed more cost effective than removing the shield, packaging it appropriately and paying delivery costs to have it couriered to Cumbria. The shield has now been replaced on the side of the drum.

The clock face currently remains with Cumbria Clocks Ltd., with the works for the final stages of the signwriting now complete. It is anticipated that the clock will be returned to Bognor Regis, with an engineer, for installation in March 2018, after the scaffolding has been removed from the building.

Discussions are ongoing regarding a legal agreement and an update will be given once available.

BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018

AGENDA ITEM 23 - TO CONSIDER THE RECOMMENDATION MADE AT THE COMMUNITY ENGAGEMENT AND ENVIRONMENT COMMITTEE MEETING HELD 22nd JANUARY 2018 THAT FUNDING BE IDENTIFIED FOR A PRIZE OF £100 FOR THE CITIZENS AWARD FOR YOUNG PEOPLE - MIN. 93 REFERS

REPORT BY ASSISTANT CLERK

FOR DECISION

At the meeting of the Community Engagement and Environment Committee Meeting held 22nd January 2018, Members discussed a Citizens Award for Young People (Min. 93 refers) with an extract from the Minutes as follows:

*It was further **AGREED** to **RECOMMEND** that the recipient be awarded a certificate and a cash prize of £100 and referred this decision to the Policy and Resources Committee for approval and to identify a budget.*

Members are therefore invited to consider the recommendation.

DECISION

Do Members wish to award a monetary prize to the recipient of the Citizens Award for Young People?

If Members are minded to make such an award, confirmation of the amount, format i.e. cash, voucher etc and identification of a budget is required?

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE - 5th FEBRUARY 2018**

AGENDA ITEM 24 - ROLLING CAPITAL PROGRAMME - TO RATIFY EXPENDITURE OF £3,040 PLUS VAT FOR 4 X DELL OPTIPLEX 3050 REPLACEMENT PCs INCLUDING INSTALLATION AS PART OF THE ON-GOING ROLLING REPLACEMENT PROGRAMME

REPORT BY TOWN CLERK

FOR DECISION

Members are advised that as part of the on-going rolling replacement programme, we will be renewing four of the office PCs over the next few weeks.

We have recently been advised by the IT Contractor that there are two security vulnerabilities that have come to light that affect most (if not all) computers built within the last 20 years. These two vulnerabilities go by the names "Meltdown" and "Spectre". They use a combination of complex yet easily executed commands to trick the "brain" or processing unit of a computer to extract and reveal sensitive information. There is a two-step process to protect against this occurring that involves installing a security patch from the operating system developer to patch against "Meltdown" and installing a driver/firmware update from the systems manufacturer to patch against "Spectre".

As the Town Council subscribe to the Contractor's monitoring services and full server maintenance, the IT Contractor is already underway with the patching process for "Meltdown" and will be applying the firmware and drivers to protect against "Spectre" when the updates are made available. It has however been identified that not all computers will receive fixes for "Spectre" and for some, the only option will be to replace their machines.

Using the audit information and the current advertised list of products receiving "Spectre" patches, the IT Contractor has advised that the four PCs identified as needing replacement are not included within the list and it is unclear if these devices will ever receive an update or not. If they are not scheduled to receive a patch, it would be prudent to start planning to replace these devices anyway. All of the other Town Council PCs will undergo the necessary two-step process to ensure that the Town Council's data is not vulnerable to an attack.

As these machines were purchased in 2012, it had already been identified by the Council's IT Contractor that the machines to be replaced were reaching the point where owing to their age, replacements were needed to ensure that breakdowns do not occur.

AGENDA ITEM 24

For this reason and in view of the vulnerability of these machines, four new Dell OptiPlex 3050 PCs with a decent specification and capable of another 3 to 5 years' service have therefore been sourced. The cost to purchase the new equipment including installation will be £3,040 plus VAT.

DECISION

The Committee is therefore invited to **RATIFY** the cost of purchase and installation of 4 x Dell OptiPlex 3050 replacement PCs at £3,040 plus VAT.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 25 - FINANCIAL REPORTS INCLUDING: -

REPORT BY TOWN CLERK

FOR DECISION

- **TO NOTE COMMITTEE, I&E REPORTS FOR THE MONTH OF DECEMBER 2017 - PREVIOUSLY COPIED TO COUNCILLORS**

The financial reports for the month of December 2017 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, PUBLIC SECTOR RESERVE ACCOUNT AND MAYOR'S CHARITY ACCOUNT FOR THE MONTHS OF NOVEMBER AND DECEMBER 2017, 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 November and December 2017.

DECISION

To **NOTE** receipt of the financial reports for the month of December 2017.

To **NOTE** verification of bank reconciliations with the Town Council's Current account, Public Sector Reserve account and Mayor's Charity account for the months of November and December 2017, 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 COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 26 - CORRESPONDENCE

FOR INFORMATION

1. VAAC - Weekly E-Bulletin Updates, 11th and 18th January 2018. Emailed to all Councillors.
2. Local Council Public Advisory Service - Data Protection Advice and Service.
3. Sussex Police - Weekly Bulletin for the Arun District, 1st-7th, 8th-14th, and 15th-21st January 2018. Emailed to Councillors and uploaded to Facebook.
4. Request for financial support, from a Pastor of the United in Christ Church, towards community and social services projects. Civic & Office Manager acknowledged receipt of email.
5. NALC - Chief Executive's Bulletin, 12th January 2018. Emailed to Councillors.
6. Email from member of the public thanking all those involved with the Ice Rink in Place St Maur, Bognor Regis, over the Christmas Season.
7. Reynolds Funeral Service - Acknowledgment of donation received in memory of town Councillor Dougal Maconachie.
8. WSCC - Minutes of Full Cabinet Meeting held on 28th November 2017 and Agenda for Cabinet Meeting to be held on 30th January 2018. Emailed to Councillors.
9. ADC - Notice of Casual Vacancy - Marine District Ward.
10. Correspondence sent by Town Clerk, to Town Councillors, advising that a notice of Vacancy for Marine Ward had been published by ADC.
11. ADC - Consultation on the Main Modifications to the Arun Local Plan (2011-2031). Emailed to Councillors and details of public consultation uploaded to Town Council's website and Facebook page.
12. Communities and Local Government Committee - Press Release: CLG Committee Chair writes to Dame Judith Hackitt after evidence session on Independent Review of Building Regulations and Fire Safety. Evidence Session: DCLG Annual Report and Accounts 2016-17, to be held 15th January 2018. Press Release: Non-domestic rating bill, 23rd January 2018. CLG Committee launches inquiry on land value capture, 19th January 2018.
13. NALC - Local Councillor Census Survey. Emailed to Councillors.
14. Sussex 'Watch Out' Magazine - January 2018. Emailed to Councillors.

AGENDA ITEM 26

- 15.** Copy of correspondence from Chair of West Sussex Cycle Forum, to ADC Foreshore Officer, regarding 'No Cycling' markings on the Promenade in Bognor Regis.
- 16.** Home-Start Arun - up-to-date accounts for Grant Aid 2018 Award, as requested by the Town Council.
- 17.** The Royal British Legion - Details for WW1 Centenary Commemorations 2018.
- 18.** WSCC - Notification of change in date for next JWAAC Meeting from 28th February to 27th February 2018.
- 19.** Email sent by Town Clerk to Town Councillors advising that a Notice of Vacancy had been published for Hatherleigh Ward, following the resignation of Councillor Daniel Barnes.
- 20.** ADC - Details of Fire Evacuation Training to be held on 31st January 2018, at Bognor Regis Town Hall, with which BRTC Officers are involved. Also, details of Evacuation Chair Training that the Town Council may participate in, at a later date.
- 21.** ADC - Acknowledgement that the Town Mayor, Councillor Phil Woodall, will be attending ADC's Special Meeting of the Overview Select Committee to be held on 23rd January 2018.
- 22.** Enquiry from a member of the public regarding plans with the Town to celebrate the forthcoming Royal Wedding in May 2018. Civic & Office Manager responded.
- 23.** Sussex Local Magazine - confirmation of contact details for the Town Council to be listed on the Sussex Life website.
- 24.** SSALC - St John Ambulance First Aid Training, to be held at Warnham Park on 13th March and 10th May 2018, free of charge (small donation welcome).
- 25.** ADC - Notice that valid requests for the Marine District by-election, and the Town Council by-elections for Marine and Hatherleigh Ward, have been received.
- 26.** Email sent by Town Clerk to Town Councillors informing that a by-election has been called for Marine and Hatherleigh Wards and will be held on Thursday 22nd February 2018.
- 27.** Government Knowledge Team - 'Introduction to Human Resources Management' seminar to be held in London on 31st May 2018. 'Success Skills for Secretaries and PA's' course to be held in London on 26th February 2018. 'Making a Winning Business Case' course to be held in London on 11th April 2018. All courses at a cost of £499 (plus VAT) per delegate.

AGENDA ITEM 26

- 28.** Copy of letter sent by the Town Mayor, Councillor Phil Woodall, to the organisers of 'Skating on the Prom' offering congratulations for hosting such a successful event, and thanking their entire team for all of their efforts.
- 29.** Copy of letter sent by the Town Mayor, Councillor Phil Woodall, to Professor Clive Behagg offering congratulations, on behalf of the Council, for having been awarded an OBE in the New Year's Honours List for services to higher education and economic regeneration.
- 30.** Copy of letter sent by the Town Clerk to Professor Jane Longmore, Vice-Chancellor of the University of Chichester, thanking her for having attended the Council Meeting, held on 8th January 2018.
- 31.** Bognor Regis Twinning Association - letter of thanks for Grant Aid Award, and clarification of child protection arrangements as requested by the Town Council.
- 32.** ADC - Agenda and reports for Special Meeting of the Overview Select Committee Meeting to be held on 23rd January 2018, to be attended by Town Mayor, Councillor Phil Woodall, and Projects Officer.
- 33.** Littlehampton Town Council - Details of Littlehampton Town Mayor's Charity Event to be held on 3rd March 2018. Emailed to Councillors.
- 34.** St Wilfrid's Hospice - News Magazine, New Year 2018.
- 35.** WCCTV - Details of High Definition Speed Dome CCTV system on offer at a special rate until the end of March 2018.
- 36.** ITV - Details of new TV programme that is looking for Grandparents to take part. Uploaded to Town Council's website and Facebook page. Emailed to Councillors.
- 37.** Hemingway Design - 'What's in Store for 2018?'
- 38.** SSALC - Invitation to sign-up to a monthly email newsletter from e-Mango, called 'The Digital Local Council'.
- 39.** ADC - List of agendas published for meetings - Week Commencing 15th January 2018 including: - Overview Select Committee; Special Overview Select Committee; and Individual Cabinet Member Decisions.
- 40.** Public Sector Network - PSN Newsletter, January 2018.
- 41.** WSCC - End of Year Returns.
- 42.** Copy of letter from a local adolescent suggesting ideas for possible food outlets that could be in the Town Centre, along with an idea to improve play parks in Bognor Regis. Town Clerk replied, and original correspondence sent on the Arun District Council and Town Centre Manager.

AGENDA ITEM 26

- 43.** Health Courses - 'Managing Difficult People' workshop, to be held in Portsmouth on 14th February 2018, at a cost of £197 (excl. VAT).
- 44.** Bourne Leisure Ltd. - Important changes to Coupa Supplier Network.
- 45.** WSCC - Proposed changes to grant funding for voluntary and community groups from 2018/19. Emailed to Councillors.
- 46.** Invitation to Councillors, from Bognor Regis Motor Club, to attend a commemorative event at the memorial located at the entrance to the Rolls Royce Facility.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 26 - ADDITIONAL CORRESPONDENCE

FOR INFORMATION

1. Selectra - UK Government Smart Meters Rollout 2020.
2. Communities and Local Government Committee - Evidence Session: Private rented sector and Draft Tenant Fees Bill, to be heard on 29th January 2018. Inquiry Launch: Long term funding of adult social care. Evidence Session: Business rate retention, to be heard on 5th February 2018.
3. Government Knowledge Training Team - 'Introduction to Project and Programme Management' course to be held in London, on 26th February 2018, at a delegate cost of £499 (excl. VAT). 'Writing Effective Presentations and Speeches' presentation to be held in London, on 16th February 2018, at a delegate cost of £499 (excl. VAT).
4. Arun District Council - Preparing for the General Data Protection Regulations. Links to ICO publications and an invitation to attend ADC Councillor training sessions on the GDPR, in late March/April. Assistant Clerk and Civic & Office Manager have requested to attend.
5. Sussex Against Bullying - Invitation to become a trustee in the organisation.
6. Bognor Regis Twinning Association - details of next foreign film to be shown at the Picturedrome Cinema on 12th February 2018, at 8pm.
7. The Regis School - Newsletter, Issue 9.
8. Arun District Council - Statement of Persons Nominated for by-elections to be held, on 22nd February 2018, for the vacant position of a Town Councillor in Hatherleigh Ward, and Marine Ward.
9. Ellis Whittam - Employment Law, HR and Health & Safety News.
10. DCK Accounting Solutions - 31st March 2018 Year End Accounts Timetable.
11. Local Councils Update - LCU magazine, January/February 2018: Issue 214.
12. VAAC - Funding Focus, February 2018. Emailed to Councillors.
13. Neighbourhood Alert - Weekly Bulletin, 22nd-28th January 2018. Emailed to Councillors and uploaded to Town Council Facebook page.
14. Action Fraud - Phantom Debt Fraud Alert, January 2018. Emailed to Councillors and uploaded to Town Council Facebook page.

AGENDA ITEM 26

- 15.** Sussex Police - details of local policing base opening in Selsey. Emailed to Councillors.
- 16.** Bognor Regis Town Centre Manager - 'Bognor Regis BID, Coming Soon!'. Emailed to Councillors.
- 17.** Government Knowledge Team - 'Multi-Tasking and Time Management' course to be held in London, on 1st March 2018, at a delegate cost of £499 (excl. VAT). 'Understanding GDPR Regulations' course to be held in London, on 14th February 2018, at delegate cost of £499 (excl. VAT).
- 18.** British Red Cross - First Aid Courses in a location to suit you.
- 19.** Merrehill - details of marketing solutions.
- 20.** Arun District Council - email thanking the Mayor for attending the Special Meeting of the Overview Select Committee, on 23rd January 2018, with a copy of correspondence subsequently sent by ADC to the Sussex Police & Crime Commissioner.
- 21.** Neighbourhood Watch - Public Health England Cold Alert Level 3. Emailed to Councillors and uploaded to Town Council's Facebook page.
- 22.** WSCC - JWAAC H&T Agenda for meeting to be held on 6th February 2018. Emailed to Town Council Representative.

**BOGNOR REGIS TOWN COUNCIL
POLICY AND RESOURCES COMMITTEE MEETING - 5th FEBRUARY 2018**

AGENDA ITEM 27 - PICTUREDROME UPDATE - DIRECTOR'S REPORT, ANY URGENT ACTIONS TAKEN FOR RATIFICATION

Progress Reports on Picturedrome Expansion Project - an update to inform the public of progress with the expansion project was posted on the Town Council website in January 2018 and circulated to Councillors.

Electrical Safety Certificate - it had been reported previously that following the electrical safety check undertaken during the latter part of last year as part of the Schedule of Works, additional works needed to be undertaken to bring the electrics in line with current specification and enable the satisfactory certificate to be issued. Quotations were subsequently sought, and the works have now been instructed at a cost of £3,300 plus VAT. The contractor has advised that this price may be subject to manufacturer's fluctuations for the materials required.

Asbestos Management Report - as previously advised, Asbestos Management Reports for the Picturedrome complex and ancillary units have recently been commissioned and the work has now been undertaken to ensure that the asbestos register is up to date and includes all current data and information. These have been funded by the Bognor Pier Company Ltd. at a cost of £950 plus VAT. The Management Survey reports have now been received for each of the three elements of the building and a copy has been forwarded onto the Managing Agents so that these can be passed onto each of the respective tenants for their information.

Balance Sheet for Bognor Pier Company Ltd - a copy of the detailed Balance Sheet up to and including 31st December 2017 will be copied to Councillors for information under separate cover.

Cinema Theatre Association - a copy of the Bulletin Magazine Vol. 52, No. 1 for January/February 2018 has been received which is available for Members to view if required.

Cinema Theatre Association - a copy of the Picture House Magazine Vol. 42 2017 has been received which is available for Members to view if required.

Kiosk 1a Linden Road - further information in relation to outstanding matters will be given at the meeting however as this is a contractual matter it will need to be done under confidential business.