



Seaford Town Council

Report 152/14

Agenda Item No: 16
Committee: Council
Date: 6 November 2014
Title: Review of Standing Orders.
By: James Corrigan
Purpose of Report: To secure adoption of new Standing Orders for the Council.

Recommendations

You are recommended:

1. To subject to any agreed amendments adopt the new Standing Orders.
 2. Consider the impracticality of removing positions mid-term, such as Leader and Deputy Leader.
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1. Information

- 1.1 The Council has previously resolved to adopt new Standing Orders.
- 1.2 At the Council meeting on 21st August it was agreed that these be based on the NALC model Standing Orders and that these be circulated to all Councillors for comment and that the Interim Town Clerk present new Standing Orders to the next Council meeting on the basis of these responses.
- 1.3 There have been a number of responses and meetings held since the model was circulated. This has resulted in the attached proposed Standing Orders being submitted for consideration of adoption.
- 1.4 The changes from the model Standing Orders are as follows;
- 1.5 All references to Welsh only laws have been removed.
- 1.6 Additional clause 1(a) "These rules apply to Full Council as well as Committee and Sub-Committee meetings."
- 1.7 Additional clause 1(b) "Debate on an agenda item can take place prior to any motion being made."
- 1.8 Addition of clause 1(r) "The Chairman will only allow a Councillor to speak again if the Councillor is introducing new information."

- 1.9 Clause 1(t) limits speeches by Councillors to three minutes.
- 1.10 Addition of the words "during public participation" within clause 3 (e).
- 1.11 Time limit of 20 minutes for public participation 3(f), and four minutes per speaker.
- 1.12 An amended paragraph 3(i) now reflects the new law "Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent but recording will be allowed if requested in reasonable time to ensure adequate space is available."
- 1.13 3(w) a meeting shall not exceed three hours.
- 1.14 Clause 4(d) has been added "Councillors who cannot attend a Committee or Sub-Committee can appoint any Councillor to attend in their absence. The absent Councillor must advise the Town Clerk or Committee Clerk of the nomination."
- 1.15 Addition of clause 4(e) "All Councillors who are not members of a Committee are entitled to attend the said meeting and participate but not vote. Non-Committee or Sub-Committee Councillors will however be excluded for exempt items at these meetings."
- 1.16 Clause 5(c) changed to the commencement time for the Annual Meeting to being 7pm.
- 1.17 Clause 6(d) has been amended to require four Councillors to sign a request for a Committee / Sub-Committee within seven days.
- 1.18 Clause 7(a) has had the number ten added requiring ten Councillors to sign a request to review a previous resolution.
- 1.19 Clause 7(b) has been added "Such request to be received by the Proper Officer within 7 days of the decision having been made."
- 1.20 A new clause 9(a) has been added "The preferred operation of the Council is for Councillors and officers to work in partnership to prepare reports for motion at meetings where this is necessary. However if a Councillor wishes to prepare a report alone the procedure below has to be followed."
- 1.21 Clause 9(c) requires 14 days' notice for a motion from a Councillor.
- 1.22 Clause 9 (e) requires at least seven days' notice.
- 1.23 Addition of clause 11(c) "Only the Councillors who are Members of a Committee or Sub-Committee will be entitled to a copy of the confidential papers for that committee."
- 1.24 Clause 13(c) has been removed as it is not compliant with the Councils code of conduct namely "Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of

conduct. He may return to the meeting after it has considered the matter in which he had the interest.”

- 1.25 Clause 15 (b)(i) removed clause requiring summons to be by post and retained to be by email.
- 1.26 Clause 15 (b)(i) has had “in accordance with the Councils Destruction Policy;” added to the end of the sentence.
- 1.27 Clause 15(b)(iii) requires seven days’ notice.
- 1.28 Clause 15(b)(xv) changed to reflect need to consult with Chairman of Planning Committee.
- 1.29 Clause 16 (a) has been added “The Council shall appoint an appropriate Member of staff as the Responsible Financial Officer”
- 1.30 Clause 18(a)(v) reduced from £60,000 to £50,000
- 1.31 Clause 18(d)(v) has had one replaced with two Councillors.
- 1.32 Clause 19(b) has been removed and replaced with “The Town Clerk shall manage the Councils sickness absence in accordance with Council Policy. “
- 1.33 Clause 19(c) has been replaced by “The Mayor of the Council and the Chairman of the Personnel Committee (or Vice-Chairman if this is the Mayor) or in his absence, the Deputy-Mayor shall conduct an annual review of the performance and annual appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by Personnel Committee.”
- 1.34 Clause 19(d) has been replaced by “All staff grievances will be conducted in accordance with the Councils Grievance Policy.” Consequently 19 (e) has been removed.
- 1.35 Clause 19(h) has been replaced by “Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to employees or Councillors who are fulfilling a delegated or Council authorised function.”
- 1.36 Clause 20(b) has been replaced by “Correspondence from, and notices served by, the Information Commissioner shall be acted on by the Proper Officer in strict accordance with the correspondence / notice.”
- 1.37 Clause 21 has been changed to be undertaken in accordance with the Council’s Press Release Policy and Procedure.
- 1.38 Additions to clause 20(a)(i) “(this does not apply to publically accessible property)”
- 1.39 Removal of clause 23(b), “Unless the council determines otherwise, a copy of each letter sent to the [(England) [District and County Council] OR [Unitary Council]] [(Wales) [County Borough] OR [County Council]] shall be sent to the ward councillor(s) representing the area of the council.” replaced by “Where deemed

necessary by the relevant officer correspondence sent to the District or County Council shall be copied to the relevant District or County Councillor(s).”

- 1.40** Clause 25(b) requires ten Councillors.
- 1.41** Other issues not addressed within the attached Standing Orders include the position of Leader and Deputy Leaders of the Majority and Minority Groups. These are referred to in the existing Standing Orders but not in the model ones. The reference to any delegation to these positions within the scheme of delegation was removed at the Council meeting on 21st August 2014. The existing Standing Orders do not give any authority to the positions. The recognition of the positions occurs at the Annual Meeting when they are recognised.
- 1.42** It is not practical to remove positions mid-term where they have by default some ex-officio functions, such as membership of various groups. The Council may wish to consider, as it has been indicated these positions are to be removed from the Council structure, retaining them until the end of the Municipal year.
- 1.43** Another point for consideration is the commencement time of meetings, the new Standing Orders are the same as the existing ones with a start time of 7pm for all meetings. It has been suggested this is changed to 7.30pm. This is a matter for the Council to determine.
- 1.44** It should be noted that all ex-officio positions at Council Committees and Sub-Committees have been removed. Instead all Councillors who are not members of the Committee or Sub-Committee can attend and contribute but not vote. The non-Members however will be excluded when a meeting goes into confidential items.
- 1.45** Please note that the Personnel Sub-Committee has deliberately been referred to as a Committee and not a sub-committee as the feedback was that this should be the case, though in practice it will not occur until the next annual meeting in May 2015.
- 1.46** The Scheme of Delegation and the Council’s Financial Regulations will be considered at the next Council Meeting on 15th January 2015.


2. Financial Implications

There are no direct financial implications as a result of this report.

3. Contact Officer

The Contact Officer for this report is James Corrigan, Interim Town Clerk.

Interim Town Clerk



A handwritten signature in black ink, appearing to read 'James Corrigan', is written over a horizontal line. The signature is stylized and cursive.

Seaford Town Council

Standing Orders

1 Rules of debate at all meetings

- a These rules apply to Full Council as well as Committee and Sub-Committee meetings.
- b Debate on an agenda item can and usually will take place prior to any motion being made.
- c Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- d A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- e A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- f If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- g An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- h If an amendment to the original motion is carried, the amended motion becomes the Substantive motion upon which further amendment(s) may be moved.
- i An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
- j A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- k If there is more than one amendment to an original or Substantive motion, the amendments shall be moved in the order directed by the Chairman.
- l Subject to Standing Order 1(m) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.

- m One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- n A Councillor may not move more than one amendment to an original or Substantive motion.
- o The mover of an amendment has no right of reply at the end of debate on it.
- p Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final Substantive motion immediately before it is put to the vote.
- q Unless permitted by the Chairman of the meeting, a Councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another Councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- r The Chairman will only allow a Councillor to speak again if the Councillor is introducing new information.
- s During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- t A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- u When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a Committee or Sub-Committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or

ix. to suspend particular Standing Order (s) excepting those which reflect mandatory statutory requirements.

s Before an original or Substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

t Excluding motions moved under Standing Order 1(r) above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the Chairman of the meeting.

2 Disorderly conduct at meetings

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

3 Meetings generally

- Full Council meetings
 - Committee meetings
 - Sub-Committee meetings
- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other suitable premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not**

include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.

- ■ d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may during public participation make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with Standing Order 3(e) above shall not exceed 20 minutes unless directed by the Chairman of the meeting.
- g Subject to Standing Order 3(f) above, a member of the public shall not speak for more than four minutes.
- h In accordance with Standing Order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
- ■ l **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent but recording will be allowed if requested in reasonable time to ensure adequate space is available.**
- ■ m **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- n **Subject to Standing Order s which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in**

his absence be done by, to or before the Vice-Chairman of the Council (if any).

- o **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- p **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.**
- q **The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
See Standing Order s 5(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.
- r **Unless Standing Order s provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- s **The minutes of a meeting shall include an accurate record of the following:**
 - i. the time and place of the meeting;
 - ii. the names of Councillors present and absent, noting those that have given apologies;
 - iii. interests that have been declared by Councillors and non-Councillors with voting rights;
 - iv. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made.
- t **A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is Subject to statutory limitations or restrictions under the Code on his right to participate and vote on that matter.**
- u **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.** See Standing Order 4d(viii) below for the quorum of a Committee or Sub-Committee meeting.

- ■ ■ v **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- w A meeting shall not exceed a period of three hours.

4 Committees and Sub-Committees

- a **Unless the Council determines otherwise, a Committee may appoint a Sub-Committee whose terms of reference and members shall be determined by the Committee.**
- b **The members of a Committee may include non-Councillors unless it is a Committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory Committee and a Sub-Committee of the advisory Committee may be non-Councillors.**
- d Councillors who cannot attend a Committee or Sub-Committee can appoint any Councillor to attend in their absence. The absent Councillor must advise the Town Clerk or Committee Clerk of the nomination.
- e All Councillors who are not members of a Committee are entitled to attend the said meeting and participate but not vote. Non-Committee or Sub-Committee Councillors will however be excluded for exempt items at these meetings.
- f The Council may appoint standing Committees or other Committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing Committee up until the date of the next annual meeting of Full Council ;
 - iii. shall permit a Committee, other than in respect of the ordinary meetings of a Committee, to determine the number and time of its meetings;
 - iv. shall, Subject to Standing Order s 4(b) and (c) above, appoint and determine the terms of office of members of such a Committee;
 - v. may, Subject to Standing Order s 4(b) and (c) above, appoint and determine the terms of office of the Substitute members to a Committee whose role is to replace the ordinary members at a meeting of a Committee if the ordinary members of the Committee confirm to the Proper Officer one day before the

- meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing Committee, appoint the Chairman of the standing Committee;
 - vii. shall permit a Committee other than a standing Committee, to appoint its own Chairman at the first meeting of the Committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a Committee and a Sub-Committee which shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a Committee;
 - x. shall determine if the public and press are permitted to attend the meetings of a Sub-Committee and also the advance public notice requirements, if any, required for the meetings of a Sub-Committee;
 - xi. shall determine if the public may participate at a meeting of a Sub-Committee that they are permitted to attend; and
 - xii. may dissolve a Committee.

5 Ordinary Council meetings

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c If no other time is fixed, the annual meeting of the Council shall take place at 7pm.**
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if any) of the Council .**
- f The Chairman of the Council , unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council .**
- g The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council**

shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
 - i **In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii Confirmation of the accuracy of the minutes of the last meeting of the Council ;
 - iii Receipt of the minutes of the last meeting of a Committee;
 - iv Consideration of the recommendations made by a Committee;
 - v Review of delegation arrangements to Committees, Sub-Committees, staff and other local authorities;
 - vi Review of the terms of reference for Committees;
 - vii Appointment of members to existing Committees;
 - viii Appointment of any new Committees in accordance with Standing Order 4 above;
 - ix Review and adoption of appropriate Standing Order s and Financial Regulations;
 - x Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - xi Review of representation on or work with external bodies and arrangements for reporting back;
 - xii In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - xiii Review of inventory of land and assets including buildings and office equipment;
 - xiv Confirmation of arrangements for insurance cover in respect of all insured risks;
 - xv Review of the Council's and/or staff Subscriptions to other bodies;
 - xvi Review of the Council's complaints procedure;
 - xvii Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
 - xviii Review of the Council's policy for dealing with the press/media; and
 - xix Determining the time and place of ordinary meetings of the Full Council up to and including the next annual meeting of Full Council.

6 Extraordinary meetings of the Council and Committees and Sub-Committees

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council . The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.**
- c The Chairman of a Committee or a Sub-Committee may convene an extraordinary meeting of the Committee or the Sub-Committee at any time.
- d If the Chairman of a Committee or a Sub-Committee does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by four members of the Committee or the Sub-Committee, any four members of the Committee or the Sub-Committee may convene an extraordinary meeting of a Committee or a Sub-Committee.

7 Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least ten Councillors to be given to the Proper Officer in accordance with Standing Order 9 below, or by a motion moved in pursuance of the recommendation of a Committee or a Sub-Committee.
- b Such request to be received by the Proper Officer within 7 days of the decision having been made.
- c When a motion moved pursuant to Standing Order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8 Voting on appointments

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

9 Motions for a meeting that require written notice to be given to the Proper Officer

- a The preferred operation of the Council is for Councillors and officers to work in partnership to prepare reports for motion at meetings where this is necessary. However if a Councillor wishes to prepare a report alone the procedure below has to be followed.
- b A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- c No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 14 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- d The Proper Officer may, before including a motion on the agenda received in accordance with Standing Order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- e If the Proper Officer considers the wording of a motion received in accordance with Standing Order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least seven clear days before the meeting.
- f If the wording or Subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- g Subject to Standing Order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- h Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- i Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

10 Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular Committee or Sub-Committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a Committee or Sub-Committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
 - xii. to not hear further from a Councillor or a member of the public;
 - xiii. to exclude a Councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close a meeting.

11 Handling confidential or sensitive information

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
- c Only the Councillors who are members of a Committee or Sub-Committee will be entitled to a copy of the confidential papers for that Committee or Sub-Committee.

12 Draft minutes

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

"The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13 Code of conduct and dispensations

See also Standing Order 3(t) above.

- a All Councillors and non-Councillors with voting rights shall observe the Code of Conduct adopted by the Council.
- b Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from the meeting room when it is considering a matter in which he has a prejudicial interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c **Dispensation requests shall be in writing and Submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- d A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or Committee or Sub-Committee for which the dispensation is required and

that decision is final.

- e A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.

- f Subject to Standing Order s 13(d) and (f) above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.

- g A dispensation may be granted in accordance with Standing Order 13(e) above if having regard to all relevant circumstances the following applies:**
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or;**
 - ii. granting the dispensation is in the interests of persons living in the Council's area or;**
 - iii. it is otherwise appropriate to grant a dispensation.**

14 Code of conduct complaints

- a Upon notification by the District that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, Subject to Standing Order 11 above, report this to the Council .

- b Where the notification in Standing Order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 14(d) below.

- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

- d Upon notification by the District Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

15 Proper Officer

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the Council, a Committee and a Sub-Committee serve on Councillors a summons, by email**, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.
See Standing Order 3(b) above for the meaning of clear days for a meeting of a Full Council, and Standing Order 3 (c) above for a meeting of a Committee.
 - ii. **give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of a Committee or a Sub-Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
See Standing Order 3(b) above for the meaning of clear days for a meeting of a Full Council and Standing Order 3(c) above for a meeting of a Committee.
 - iii. Subject to Standing Order 9 above, include on the agenda all motions in the order received unless a Councillor has given written notice at least seven days before the meeting confirming his withdrawal of it;
 - iv. **convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - v. facilitate inspection of the minute book by local government electors;
 - vi. **receive and retain copies of byelaws made by other local authorities;**
 - vii. retain acceptance of office forms from Councillors;
 - viii. retain a copy of every Councillor's register of interests;
 - ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and Subject to the Council's policies and procedures relating to the same;
 - x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xi. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form in accordance with the Council's Destruction Policy;
 - xii. arrange for legal deeds to be executed;
See also Standing Order 22 below.
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding

- any payments to be made by the Council in accordance with the Council's Financial Regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
 - xv. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if any) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning Committee;
 - xvi. manage access to information about the Council via the publication scheme; and
 - xvii. retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- See also Standing Order 22 below.*

16 Responsible Financial Officer

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

17 Accounts and accounting statements

- a "Proper practices" in Standing Order s refer to the most recent version of Governance and Accountability for Local Council s – a Practitioners' Guide (England).
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments for each quarter;
 - ii. the Council's aggregate receipts and payments for the year to date;
 - iii. the balances held at the end of the quarter being reportedand which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- i. each Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and
 - ii. to the full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e. The yearend accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each Councillor before the end of the following month of May. The annual return of the Council, which is Subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

18 Financial controls and procurement

- a. The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. procurement policies (Subject to Standing Order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £50,000.
- b. Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **Financial Regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in Standing Order 18(d) below.**
- d. Subject to additional requirements in the Financial Regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the Submission of tenders (iii) the date of the

- Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
- iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be Submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least two Councillors after the deadline for Submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a Committee or Sub-Committee with delegated responsibility.
- e Neither the Council, nor a Committee or a Sub-Committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

19 Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of Council OR the Personnel Committee or the Grievance / Disciplinary Sub-Committee is Subject to Standing Order 11 above.
- b The Town Clerk shall manage the Councils sickness absence in accordance with Council Policy.
- c The Mayor of the Council and the Chairman of the Personnel Committee (or Vice-Chairman if this is the Mayor) or in his absence, the Deputy-Mayor shall conduct an annual review of the performance and annual appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and is Subject to approval by resolution by Personnel Committee.
- d All staff grievances will be conducted in accordance with the Councils Grievance Policy.
- e Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- f The Council shall keep all written records relating to employees secure. All paper

records shall be secured and locked and electronic records shall be password protected and encrypted.

- g Only Managers with line management responsibilities shall have access to staff records referred to in Standing Order s 19(e) and (f) above if so justified.
- h Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Order s 19(f) and (g) above shall be provided only to employees or Councillors who are fulfilling a delegated or Council authorised function.

20 Requests for information

- a Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be acted on by the Proper Officer in strict accordance with the correspondence / notice.

21 Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's Press & Media Policy and Press Release Procedure.

22 Execution and sealing of legal deeds

See also Standing Order s 15(b)(xii) and (xvii) above.

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to Standing Order 22(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two Councillors who shall sign the deed as witnesses.**

23 Communicating with District and County or Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the

agenda, to the ward Councillors of the District and County Council representing the area of the Council .

- b Where deemed necessary by the relevant officer correspondence sent to the District or County Council shall be copied to the relevant District or County Councillor(s).

24 Restrictions on Councillor activities

- a. Unless authorised by a resolution, no Councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect (this does not apply to publically accessible property); or
 - ii. issue orders, instructions or directions.

25 Standing Orders generally

- a All or part of a Standing Order , except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's Standing Order s, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least ten Councillors to be given to the Proper Officer in accordance with Standing Order 9 above.
- c The Proper Officer shall provide a copy of the Council's Standing Order s to a Councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.



Seaford Town Council

Report 136/14

Agenda Item No: 17
Committee: Full Council
Date: 6 November 2014
Title: Travellers Policy and Procedure
By: James Corrigan
Purpose of Report: To present a draft Travellers Policy and Procedure for adoption.

Recommendations

You are recommended:

1. To formally adopt the Travellers Policy and Procedure as attached at Appendix A.
 2. If adopted, to approve a review date either after the next occurrence of an unauthorised encampment or September 2017, whichever is sooner.
-

1. Information

- 1.1 Further to the unauthorised encampment that we experienced back in September at the Pump House Field it became apparent that there was a need for the Council to have their own policy and procedure in place for dealing with such a situation arising.
- 1.2 Therefore, attached at Appendix A is a draft Travellers Policy and accompanying procedure presented to the Council for consideration and adoption.
- 1.3 Due to the size of the documents, the only appendix to the policy itself is the Travellers Incursion Form, the others will be circulated by email to all Councillors (as they are guidance notes from other authorities) and not included with the agenda.
- 1.4 Ahead of writing the policy, research in to similar policies and the East Sussex County Council's protocol for managing unauthorised encampments along with the Home Office's Guidelines for dealing with Travellers, among others, were reviewed to provide guidelines on the powers and responsibilities that the Council, as a local authority and landowner, have.
- 1.5 The aim of this policy and procedure is to provide the Council and Council Officers with a clear understanding of what is expected and required of them in the situation of an unauthorised encampment occurring, and to ensure that actions are carried out with the interest of the town, its residents and the travellers in mind.

- 1.6 It should be mentioned that as a result of the encampment in September, Council Officers have been looking into the security of the Martello Fields and Pump House Field with the aim of preventing unauthorised access being gained.
- 1.7 It is recommended that the review date for this document be set either after the next occurrence of an unauthorised encampment or September 2017, whichever is sooner.

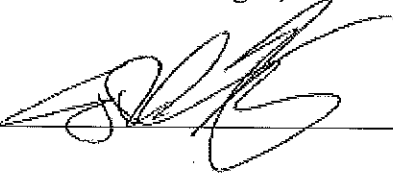
2. Financial Appraisal

There are no direct financial implications as a result of this report.

3. Contact Officer

The Contact Officer for this report is James Corrigan, Interim Town Clerk.

Interim Town Clerk





Seaford Town Council
TRAVELLER POLICY

INTRODUCTION

The purpose of this policy is to better equip Officers and Councillors in deciding how to deal with unauthorised Traveller encampments on Seaford Town Council owned land.

This policy is also to reassure Seaford's residents and other interested parties of the Council's position with regards to unauthorised encampments.

DEFINITION

An unauthorised encampment occurs when two or more people trespass on privately owned land with the intention of residing there with no prior permission of the land owner.

POLICY

Responsibility for following this policy is with the Council Officer/s on duty at the time an unauthorised encampment is reported. Due to the nature and speed at which actions unfold, liaison with the Council is not always possible so this policy is therefore in place to ensure that unauthorised encampments can be dealt with in a fair and humane manner balancing the rights and needs of the town and the Travellers themselves.

The Council will consider carefully whether unauthorised encampments can be tolerated for a period of time and when and how to instigate eviction procedures.

The Council will consider each occurrence individually and will take into account any special circumstances.

Any decisions made will balance the needs of Travellers with the impact on Council services and undue nuisance to neighbours and members of the public, including damage to land and property.

Attached at Appendix A is the Traveller IncurSION Form, which will provide Council Officers a step by step guide of what to do in the situation where an unauthorised encampment occurs.

POLICE POWERS

Sussex Police will visit all sites reported to them but trespass is a civil offence and not a criminal offence. Prevention of trespass and the removal of trespassers are the responsibilities of the landowner and not the Police.

The Police have powers to move Travellers off land where criminal activity by them can be established but this has to be proven.

The police also have discretionary powers under section 61 – 62 of the Criminal Justice and Public Order Act 1994 to direct trespassers to leave and remove any property or vehicles they have with them where group behaviour goes against the Act.

The power applies where the senior police officer reasonably believes that two or more people are trespassing on land with the purpose of residing there, that the occupier has taken reasonable steps to ask them to leave, and any of the following:

1. That any of the trespassers have caused damage to land or property;
2. That any of the trespassers have used threatening abusive or insulting words or behaviour towards the occupier, a member of the occupier's family or an employee or agent of the occupier; or
3. That the trespassers have between them six or more vehicles on the land.

The mere fact of an encampment without any aggravating factors will not normally enable Police to use this power. At the request of the Divisional Duty Inspector, the Police Superintendent will assess whether or not an eviction notice can be served on the Travellers by the Police. In order to do so, there must be an evidenced and severe impact on the local community i.e. nuisance caused to residents, community events inhibited, residents health and safety put at risk.

The police are bound by the Human Rights Act and may be constrained to avoid using Section 61 of the Criminal Justice and Public Order Act 1994 in circumstances where it would preclude welfare considerations from being applied by the civil courts.

The most efficient way for this impact to be proven is through each individual case of nuisance and criminal behaviour or damage being reported to the Police on their non-emergency number of 101.

FORMAL REPOSSESSION PROCEDURE

Where the Police Superintendent is not able to grant an eviction notice, the Council as the landowner may seek to achieve a court order to evict the Travellers.

In order to apply for a court order from the County Court the Council must have completed the necessary welfare assessment of the travellers before eviction proceedings are sought.

The process of obtaining a court order may take up to a week and will often result in the travellers moving on the day eviction is due.

The Council would need to present evidence to the Court Manager in County Court, along with the relevant documentation, in order for a hearing date to be set. There are costs involved with obtaining a court order; these would be a minimum of £100 for the order itself, plus staff time and legal fees incurred.

JOINT WORKING WITH OTHER AUTHORITIES

East Sussex County Council, Lewes District Council and Sussex Police will all work closely with Seaford Town Council where there is an unauthorised encampment on Council land.

East Sussex County Council's Protocol on Managing Unauthorised Encampments is attached at Appendix B. This document gives a good understanding of the overall process to be followed by each authority, the powers each has and considerations to be made.

For information, attached at Appendix C is East Sussex County Council's leaflet regarding Good Practice for Gypsies and Travellers in East Sussex.

FINANCIAL IMPLICATIONS

When dealing with an unauthorised encampment on Council land there will be financial implications for the Council; through manpower hours, dealing with health and safety issues, potentially reinforcing security to sites and such like.

As part of the post-incursion review, the total costs incurred will be calculated and reported to the Council for ratification.

APPENDICES

- A. Traveller Incursion Form
- B. East Sussex County Council's Protocol on Managing Unauthorised Encampments
- C. East Sussex County Council's leaflet regarding Good Practice for Gypsies and Travellers in East Sussex.
- D. Home Office Guide to Effective Use of Enforcement Power

Written: September 2014

Review: September 2017

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Seaford Town Council

TRAVELLER INCURSION FORM

Date and Time of Incursion	
Location of Incursion	
How Entry was Gained	
Number of Travellers	
Details of Vehicles (number, registration, make, model, colour etc)	
Number of Children	
Number of Animals	
CONTACTS: There is a contact sheet at Appendix A, please update if there are changes/additions.	
First STC Officer on Duty/Lead Officer(name)	
Police Informed	
Gypsy Liaison Team (ESCC) Informed	
Lewes District Council Informed	
Councillors Informed	
REMINDER: REPORT EACH OCCURENCE OF CRIMINAL ACTIVITY/DAMAGE ON/TO STC LAND/FACILITIES TO 101	
FIRST ACTION (with police presence):	
Formal Eviction Letter given (date & by) (attach copy to this form)	
Date Given for Eviction	
Date Travellers Said Intend to Leave	

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COMMUNITY IMPACT ASSESSMENT MEETING:	
ESCC TLT Welfare Check Undertaken? Any changes to STC services needed i.e. toilets, utilities, access etc?	
Complicating Factors i.e. health or welfare factors, vehicle issues etc?	
CIA meeting arranged by ESCC Traveller Liaison Team (details)	
Police Willing to Apply to SI for Eviction?	
Repeat Offenders? If yes, give previous dates of encampment.	
STC to seek Court Order?	
AS SOON AS POSSIBLE STC ACTIONS:	
Press Release by STC	
Letter to Local Residents on Adjoining Roads	
Letter to Local Pubs/Bars	
Log of Residents Calls/Complaints/Incidents	
Disruption of Events? If yes, give details.	
POST INCURSION:	
Date Left	
Method i.e. own accord, evicted, Police, Court order etc.	
Liaise with LDC about Clean Up/Councillor Volunteers	
Hazardous Waste Dept. needed?	
Remedial Maintenance Works Needed?	

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Further Comments/Future Considerations/Point to Note etc

Financial Impact
Assessment Calculated?

To be attached to this form for future reference:

- STC eviction letter
- CIA meeting Agenda & Notes
- Details of residents' complaints
- Any correspondence to residents
- Press releases
- Details of impact on events/the community
- Details of subsequent maintenance works/clean up etc
- Financial Impact assessment

Created: September 2014.

Review: after each occurrence or September 2017, whichever is sooner.

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Seaford Town Council

Report 144/14

Agenda Item No:	18
Committee:	Council
Date:	6 November 2014
Title:	Request from Lewes District Council for Seaford Town Council's views on Remuneration for Town Councillors.
By:	James Corrigan
Purpose of Report:	To provide Lewes District Council's Remuneration Panel with the views of Seaford Town Council on the provision of an allowance for Town Councillors.

Recommendations

You are recommended:

- 1. To consider the request and advice of the Remuneration Panel of Seaford Town Council's requirements relating to remuneration for Town Councillors.**

1. Information

- 1.1** Town and Parish Councils have been able to pay an allowance to Local Councillors since the introduction of The Local Authorities (Members' Allowances)(England) Regulations 2003.
- 1.2** The Regulations state "Parish Councils may choose to pay their members an allowance, known as 'parish basic allowance', to recognise the time and effort they put into their parish duties. There is no obligation on Parish Councils to pay such allowances. Each Parish Council may make an allowance available to its Chairman / Mayor only, or to each of its Members. Where all Members receive an allowance, the amount payable to the Chairman may be different to that paid to other members, but otherwise the amount paid to each Member must be the same. Parish basic allowance is a discretionary allowance. It may be paid in a lump sum, or at intervals throughout the year.

If a Parish Council wishes to pay a basic allowance, it should have regard to a recommendation from its Parish Remuneration Panel. This is a Panel set up to make recommendations to Parishes in its area. The membership of a Parish Remuneration Panel will be the same as the independent remuneration panel of the District or County Council within whose area the Parish is situated. The Panel will make a recommendation as to whom basic allowance should be paid, and the level of the allowance."

- 1.3 Seaford Town Council has chosen in the past not to pay Councillors an allowance but to pay a Mayoral Allowance only to cover the expenses of that Civic Office.
- 1.4 As set out above if the Council wishes to pay a Councillors Allowance it has to consider the recommendations of the Remuneration Panel before doing so.
- 1.5 Correspondence has recently been received from Lewes District Council as below:
- “I am emailing to inform you that it is anticipated, subject to LDC Councillor approval, that the Council’s Independent Remuneration Panel will convene on the 11th and 12th December 2014 in order to conduct a full review of the Council’s Members’ Allowances Scheme. The review is a statutory requirement and takes place every four years, with the last review being in 2010.
- As part of the review process, the Panel may also give consideration to any aspect of Town and Parish Council allowances schemes within the District and make recommendations on such matters.”
- 1.6 It would appear that the Panel did consider allowances for Parish and Town Councils in 2003 when the recommended allowance for Councillors at a Council of Seaford’s size was 10% of the District Councillor allowance. This does not appear to have been revisited since.
- 1.7 It is therefore for the Council to decide if it wishes to change policy and pay an allowance to all Town Councillors, therefore asking that Seaford Town Councillor roles are assessed by the Panel.
- 1.8 The recommendations would then in turn be considered by the Town Council before agreeing the rate to be applied from the next Municipal Year.

2. Financial Appraisal

There is no financial implication this financial year. If the Council chooses to adopt a scheme there would be a commensurate impact for each financial year in the future.

3. Contact Officer

The Contact Officer for this report is James Corrigan, Interim Town Clerk.

Interim Town Clerk





Seaford Town Council

Report 142/14

Agenda Item No: 19
Committee: Council
Date: 6 November 2014
Title: Tree Policy
By: Ben King
Purpose of Report: To present a draft Tree Policy for adoption.

Recommendations

You are recommended:

1. To formally adopt the Tree Policy as attached at Appendix A.
 2. If adopted, to approve a review date of November 2017.
-

1. Information

- 1.1 As part of the review of Council policies and procedures it was noted that the Council does not have a policy in place for the management of trees on land owned or managed by the Council.
- 1.2 Attached at Appendix A is a draft Tree Policy presented to the Council for consideration and adoption.
- 1.3 The key outcome of this policy is to ensure continued efficiency in the management of trees under Seaford Town Council ownership. In addition, the policy will assist the Council in providing a consistent and professional service to the community, setting out clear duties in relation to the management of its tree stock.
- 1.4 It is recommended that the review date for this document be set as November 2017.

2. Financial Appraisal

There are no direct financial implications as a result of this report.

3. Contact Officer

The Contact Officer for this report is Ben King, Projects & Facilities Manager.

Projects & Facilities Manager

Interim Town Clerk



Seaford Town Council

Appendix A

TREE POLICY

Seaford Town Council is committed to protecting its arboricultural assets through the positive management of trees on land owned and managed by the Town Council.

The Town Council arranges regular tree surveys resulting in the identification of trees that require arboricultural work and those requiring felling; Seaford Town Council has a duty of care to manage its trees and that duty is governed primarily by factors affecting the safety of the public and property, the health of the tree and the risk of the spread of diseases.

This approach will ensure improved management through continuity and will assist the Council in providing a consistent and professional service to the community; where requests for works are not warranted under our primary duties for tree works, they will not ordinarily be entertained at public cost.

To ensure the efficient management of tree stock, Seaford Town Council has adopted a tree inspection and management policy which includes the categorisation of trees into three risk categories - high, medium and low:

- Low risk** No fixed routine independent inspection of trees.
Such trees would include *saplings*, *copse* trees, any trees below 5m in height, and/or with limbs narrower than 25mm, or trunks below 75mm in diameter. These trees would ordinarily be assessed within groups or as part of regular site inspections; they would also be viewed during independent inspections but may not be specifically recorded unless they require felling.
- Medium risk** Inspected every three years.
Such trees would include those located close to informal paths, *medium* sized trees; street trees; trees in open areas and natural wooded areas that experience a frequent level of footfall.
- High risk** Inspected every three years and where required annually; and also in response to changing environment and weather.
Trees which, for example; overhang neighbours' properties and near structures within impact zones; play areas or well-frequented paths, seating and similar public open space, any street trees exceeding 5m in height; *large* and or *mature* trees that stand alone following felling works to a neighbouring tree/s, and trees known to be susceptible to disease, defects, shedding, or failure in high winds.

Trees are also monitored as part of regular site inspections and any advisory notes are highlighted for specialist assessment. The process of regular inspection will identify any change in any natural and environmental factors local to certain trees.

Any enquiries or report of concerns in relation to apparent dead, dying or dangerous trees will be followed by a site inspection first by a Town Council officer and if any faults or notes are recorded then a specialist will be requested for further inspection.

Prepared by Ben King, Projects & Facilities Manager

Adopted by Council: 6th November 2014
Review date: November 2017



Seaford Town Council

Report 143/14

Agenda Item No: 20
Committee: Council
Date: 6 November 2014
Title: Memorial Policy
By: Ben King
Purpose of Report: To present a draft Memorial Policy for adoption.

Recommendations

You are recommended:

1. To formally adopt the Memorial Policy as attached at Appendix A.
 2. If adopted, to approve a review date of November 2017.
-

1. Information

- 1.1 As part of the review of Council policies and procedures it was noted that the Council does not have a policy in place, setting out the process in relation to the placement of memorials in parks and open spaces owned by the Council.
- 1.2 Attached at Appendix A is a draft Memorial Policy presented to the Council for consideration and adoption.
- 1.3 The key outcome of this policy is to ensure consistency in the management of memorials in Seaford Town Council's parks and open spaces; not exceeding availability and ensuring mutual benefit whilst recognising the contrasting needs of a variety of users.
- 1.4 It is recommended that the review date for this document be set as November 2017.

2. Financial Appraisal

There are no direct financial implications as a result of this report.

3. Contact Officer

The Contact Officer for this report is Ben King, Projects & Facilities Manager.

Projects & Facilities Manager

Interim Town Clerk

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Seaford Town Council

Memorial Policy

Appendix A

1. Introduction

Seaford Town Council will permit, in principle and subject to the conditions of this policy, the placing of memorials in parks and open spaces owned by the Council. The Council fully recognises that these public facilities provide a valuable amenity function, improving well-being and visitor enjoyment.

This policy ensures that the management and regulation of its parks and open spaces is for the mutual benefit of all and sympathetically recognises the contrasting needs of a variety of users.

N.B. A separate policy and regulations shall apply to the War Memorial site.

2. General

- a) All applications for memorials (and to scatter ashes) in parks and open spaces must be made in writing to ensure the request can be recorded. The application must be duly completed by the next of kin or the Executor.
- b) Memorials will only be permitted for persons who have, at some time in their life, been resident in the town. Although it is recognised that many who have a specific emotional connection with the area but may not have been resident to the town, these will not ordinarily be approved unless specific circumstances apply at the time of application.
- c) Applications for benches cannot be guaranteed or reserved prior to an applicant's death, an entry may be made on a waiting list with a note highlighting the nature of the application however the application will be treated in order of the date that it appears on the list and spaces will not be held in waiting at any time.
- d) Should a request be refused and the reason given by the Clerk not be accepted by the applicant, the applicant has the right to request that the matter be referred to the Appeals Sub Committee for a decision, whose decision shall be final.
- e) It remains the responsibility of the applicant to notify the Council in writing of any change of address or contact details.
- f) The Council does not permit the interment of ashes within the town's parks, but may permit the scattering of ashes in certain circumstances (see Section 5)
- g) The Council will not accept applications for memorials for pets.
- h) The Council will endeavour to accommodate the wishes of the applicant regarding location of the memorial, but the overall development and management of the park or open space will take precedent.
- i) The Council will at the required times, consult with any "Friends of" groups or managing Committees, to agree the locations and numbers of memorials that will be permitted in each of the parks and open spaces.

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- j) The Council has the absolute right to limit, in both location and number, the types of memorial in any one area.
- k) The Council will maintain an asset register and associated plans where required of all memorials placed within the parks and open spaces.
- l) The appropriate payment must be received before the installation of the memorial and the payment must meet the full and final cost of the memorial, its installation and any relevant maintenance charge, that is quoted at the time of application.
- m) Payment for a tree, bench or memorial plaque shall be treated as a donation and the ownership of the asset shall be vested in the Town Council who shall be deemed the legal owners.
- n) Once installed, a bench shall receive normal routine maintenance; normal maintenance may only be guaranteed to take place up to a maximum of 10 years.
- o) Once planted a tree will be subject to a maintenance arrangement with the Council's grounds maintenance contractor; a fee for the service will apply.
- p) The Council reserves the right to remove any memorial that has been damaged and/or, in the view of the Council, is beyond economic repair.
- q) The Council will notify the applicant in the event of removal of the memorial item.
- r) The Council also reserves the right to relocate any memorial to enable the implementation of medium to large scale projects, landscape redesigns or reconfiguration of services. The Council will endeavour to consult with the original donor to ensure alternative options are made available; relocation in such circumstances may only be guaranteed within the first 10 years of the life of the memorial.
- s) The Council accepts no liability for damage to any memorial from vandals, third parties or routine maintenance, except where grounds maintenance staff are proved negligent.
- t) Any ceremony or gathering to celebrate the planting of a tree or the fixing of a bench must be arranged and agreed with the Council in advance.

3. Memorial Trees and Plaques

- a) Plant species shall be from the list maintained by the Council which in principle shall be native species only.
- b) The planting of any memorial tree shall be either directly by the Town Council's Ground Maintenance Contractor, experienced volunteer tree wardens, management committees for open spaces, or similarly, under their direction.
- c) The Council can arrange for the maintenance of the tree and associated stakes/protection for the first three years. If using their contractor a fee shall apply for the 'service'. Should the tree die within this period the Council shall undertake to replace the tree.
- d) After three years, once the service has been delivered, the tree shall be incorporated in the Council's routine inspections and maintained as required; at this time the Council accepts no responsibility for defects, disease or if the tree dies.
- e) The Council accepts no responsibility for vandalism.

- f) A memorial plaque shall have:
- A maximum size of 150mm wide by 100 mm high.
 - It shall state in Latin and English the Genus/Species/Variety of tree
 - The person's name.
 - A suitable statement, a single line and inoffensive text.
 - Dates, if desired

The final wording is to be approved by the authorised officer of Seaford Town Council.

- g) Plaques shall be made from cast bronze or similar approved suitable for fixing to a concrete block and installed by the Town Council's Ground Maintenance Contractor.
- h) The Council accepts no liability for the plaque and once installed, the cost of any replacement shall be the responsibility of the original applicant.
- i) The Council accepts no responsibility for the cleaning or the maintenance of the memorial plaque.
- j) No additional mementoes such as vases, statues, balloons, wind chimes etc. shall be allowed, these will be removed and disposed of without any notification.
- k) The Council reserves the right to remove any asset for operational reasons. If a memorial tree has to be removed as a consequence of a re-design of a park, a replacement tree will be provided at a new location and wherever possible as close to the original position as practicable.

4. Memorial Benches and Plaques

- a) Benches or picnic benches shall be of the type approved by Seaford Town Council. The Council will maintain a register of approved benches.
- b) Each bench shall be secured by a concrete base in most parks, on nature reserves the legs shall be dug and set into concrete below ground; or where appropriate other approved proprietary ground anchor. Where appropriate, the area in front of the bench shall be dressed by the concrete base, concrete slab paving stone; or in some cases on nature reserves, by using a compactible aggregate.
- c) The Council will manage the installation of all benches, the cost of which shall be incorporated in the donation.
- d) Memorial plaques shall be a maximum size of 175mm wide x 75mm high fixed to the centre of the upper most rail of the back of the bench. The size of plaque shall be determined by the design of the bench. Or depending on the style of bench the memorial note shall be engraved into the top rail of the bench.
- e) The inscription on the plaque or rail shall be a suitable statement, a single line and inoffensive text. The final wording is to be approved by the authorised officer of Seaford Town Council.
- f) The Council, in line with current maintenance arrangements, will maintain the bench, but the council accepts no liability for replacement of the bench or the plaque at the end their useful life.
- g) No additional mementos such as vases, statues, flowers or wreaths shall be permitted on or around the bench.

5. Ashes

- a) There are currently no designated locations for the scattering of ashes. Permission to scatter ashes within a Council open space shall be sought and agreed in advance with the Clerk to the Council and shall only be approved where a 'designated' location can be identified.
- b) The placing of flowers or wreaths to mark the occasion shall not be permitted.

Prepared by Ben King, Projects & Facilities Manager

Adopted by Council: 6th November 2014
Review date: November 2017



Seaford Town Council

Report 146/14

Agenda Item No: 21
Committee: Full Council
Date: 6 November 2014
Title: Internal Auditor Correspondence
By: James Corrigan
Purpose of Report: To receive a letter from the Council's Internal Auditors and consider what action is to be taken.

Recommendations

You are recommended:

1. To note receipt of the letter from Auditing Solutions Ltd dated 6th October 2014,
 2. To consider what actions is to be taken with regards to the Council's internal audits.
-

1. Information

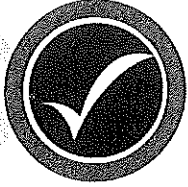
- 1.1 Attached at Appendix A is a letter received from Auditing Solutions Ltd in response to being provided with copies of recent Council agendas and minutes, in which it has been questioned why various problems had not been identified during internal audits.
- 1.2 The Council will need to consider what action they wish to take as a result of this letter being received.

2. Financial Appraisal

There are no direct financial implications as a result of this report.

3. Contact Officer

Interim Town Clerk



AUDITING SOLUTIONS LTD

Mr J Corrigan
Interim Town Clerk
Seaford Town Council
37 Church St
Seaford
East Sussex BN25 1HG

RECEIVED
08 OCT 2014

6th October 2014

Dear James

Internal Audit

Thank you for providing copies of recent Council agenda papers and other related documentation.

I have now had an opportunity to read through the documents and confess that I am concerned at the position as it appears to stand. As you are probably aware, we were appointed as successor internal auditors late in 2012-13 following the resignation of the former incumbent. We quoted for and were appointed on the basis of three days annual coverage with an additional half day for "familiarisation" with the Council's principal financial systems in 2012-13.

In accordance with the requirements of the Internal Audit (IA) Certification process in the Annual Return, we have a duty to consider the effectiveness of controls in the ten areas covered by the IA Certificate. Our time over the three days has to be divided accordingly to ensure that a degree of review work is undertaken in each specific area covered by the IA Certificate in order that we may assess and sample test the adequacy of controls in the system. I am sure you will appreciate that it is neither feasible nor practicable / cost effective from the Council's viewpoint for each individual financial process, specifically those relating to income, to be examined annually and consequently we work on a rolling programme of cover assessing those potentially at highest risk and focusing on those more frequently than the less risky areas.

Obviously any such assessment is bound to be somewhat subjective and, in order that we work with our clients, we always discuss and agree their priorities at the outset of appointment; such a discussion and agreement was held with the Council's former RFO at the time of our first visit and we consequently focused attention in the first year on the controls in place over income arising at the golf club and, due to time constraints, other lesser income streams.

The intention was also to draw up a more specific rolling programme of cover for the second and subsequent years: however, due to a great degree to the staff changes / issues that occurred prior and subsequent to our interim visit for 2013-14, the development of

such a programme was deferred, pending resolution of those issues. Consequently, again taking account of the limited time availability, we focused attention on ensuring the soundness of the main financial control systems in order that we could sign-off the annual IA Certificate. Consequently, areas such as the review of leases and detailed examination of the content of VAT returns have not been covered in our work programme.

I would welcome the opportunity to meet with you and your members to discuss in greater depth the future internal audit programme. In view of the obvious and extensive difficulties facing the Council currently, you may consider that greater time input is required with focus on specific areas initially.

I trust that the above will help clarify our position and look forward to hearing further from you.

Yours sincerely



Stuart J Pollard

Director



Seaford Town Council

Report 138/14

Agenda Item No: 22
Committee: Council
Date: 6 November 2014
Title: Freedom of the Town
By: James Corrigan
Purpose of Report: To respond to a request to invoke the Honorary Freedom of the Town Policy and invite nominations for candidates for the title.

Recommendations

You are recommended:

1. To consider whether the Council wishes to invite nominations for potential candidates for the honorary title of Freeman (Freewoman) of the Town, as per the Council's Honorary Freedom of the Town Policy.
 2. To approve the Council's Honorary Freedom of the Town Policy and set a further review date of November 2017.
 3. If wishing to appoint a Freeman (Freewoman) of the Town, to instruct Council Officers to implement and oversee the process as per the policy, formally reporting back to Full Council on 15th January 2015.
-

1. Information

- 1.1 Sadly in December 2013 one of Seaford's Freeman, Don Mabey MBE, passed away. At the same time that Don was awarded the title in 2012 so was Laurie Holland, who among many other achievements was the First Mayor of Seaford in 1999 and since then has devoted himself to the town and its residents.
- 1.2 The Council are now asked if they would consider inviting nominations for potential candidates to join Laurie in holding this accolade.
- 1.3 Attached at Appendix A is the Council's Honorary Freedom of the Town Policy for your information.
- 1.4 Note that this Policy was due for review in June 2013. Upon review it is not felt that any changes are needed to the Policy and it is therefore recommended to set a further review date of the document to November 2017.

- 1.5 If it is agreed to begin the process of appointing a further Freeman (Freewoman) of the Town then it is recommended that the Council instruct Council Officers to carry out the process as per the policy with a view to put any nominations before Full Council at the meeting on 15th January 2015 (see point 3 in the nomination procedure).


2. Financial Appraisal

There are no immediate financial implications as a result of this report however if a Freeman (Freewoman) of the Town is chosen there will be a cost for the Freedom of the Town event; these costs can be reported at the same Council meeting that the candidates are put forward if this is the case.

3. Contact Officer

The contact officer for this report is James Corrigan, Interim Town Clerk.

Interim Town Clerk





Seaford Town Council

Honorary Freedom of the Town Policy

Policy Statement

The Town Council wishes to recognise the efforts of members of the community who demonstrate outstanding commitment to the well-being of Seaford. The Council will do this, in special circumstances that meet the criteria of this policy, by awarding to an individual the title of Honorary Freeman (or Freewoman) of Seaford. This honour will be awarded only on rare and exceptional occasions. At any one time, a maximum of twelve persons, unless otherwise decided by the Council, may hold the title Honorary Freeman (or Freewoman) of Seaford for life.

Nomination Criteria

The following will be taken into account when consideration is given to granting the honour of Honorary Freeman (or Freewoman) of Seaford:

1. Preference will be given to a person who performs in a voluntary capacity, but this should not preclude the honour being awarded to a person whose dedication and contribution is significantly above that expected for their occupation, including the uniformed services.
2. All nominees should have carried out their largely voluntary roles for a lengthy period of time.
3. Nominees need not necessarily be resident within the Seaford Town Council area.
4. Any nominated Town Councillor should have retired from the post.
5. The contribution to the community should involve one or more of the following:
 - a. A significant allocation of the person's time in serving members of the community for the improvement of their well-being;
 - b. The promotion, achievement and/or delivery of community services in which a real personal contribution has been made;
 - c. A contribution which is seen to stand above the contributions of most others;
 - d. Bravery;
 - e. Outstanding acts that promote the Town;
 - f. Outstanding sporting achievement.

Nomination Procedure

1. Nominations should be made in the strictest confidence without the nominee's knowledge. Any resident or elector of Seaford may make a nomination but it must be sponsored by a Town Councillor.
2. Nominations must be made in writing to the Town Clerk and supported by evidence of the voluntary service provided by the individual to the community and any other examples of service which justifies the honour. On receipt of a nomination it will be circulated to all Councillors for confidential consideration.
3. If Councillors are in agreement that the nominee should be made an Honorary Freeman (or Freewoman) of Seaford, the nominee will be invited to accept the honour. If agreed, the nomination will then be put before the Council and a formal vote taken, again in confidence.
4. No fewer than two-thirds of the Town Councillors must agree the nomination.
5. The decisions of the Council on all nominations are final.

Entitlement

Any person nominated may designate himself/herself Honorary Freeman (or Freewoman) of Seaford for life. The award may be made at any time as the Council see fit. A scroll will be presented to the recipient.

Withdrawal

Any person nominated who is deemed by the Council to have brought the office into disrepute, may have the designation withdrawn. No fewer than two-thirds of the Council, at a formal vote, must agree the withdrawal.

Adopted: 16 June 2011

Review: June 2013



Seaford Town Council

Report 140/14

Agenda Item No: 23
Committee: Full Council
Date: 6 November 2014
Title: VAT Notice of Assessment
By: Lucy Clark
Purpose of Report: To inform the Council of the VAT Notice of Assessment following the VAT Inspection carried out on Thursday 26 June 2014.

Recommendations

You are recommended:

1. To note the report.
 2. To agree in supporting the Interim Town Clerk in appealing against the Ambulatory Concessions.
-

1. Information

- 1.1 Mr Steve Smith of HM Revenue & Customs attended the Council offices on 26th June 2014 and spent the day carrying out a VAT inspection covering the period from July 2010 to March 2014. During his visit, Mr Smith found several errors to be addressed. These were made known to the staff in a subsequent letter of the 11th July 2014 which was then communicated to the Council at the previous Full Council meeting.
- 1.2 Following the supply of the information the Council were obliged to provide, it has now received a VAT Notice of Assessment which is attached in Appendix A for your information. The summary of error totals have been calculated at £30,655.00 excluding any penalties. However, where there will be an onward VAT only charge, the actual figure that the Council will need to pay is **£12,085.00**.
- 1.3 Schedule of Errors

Filming – The amount of VAT that should have been charged during the period July 2010 to March 2014 is £2,734.00 As there will be no onward VAT only charge, HMRC are charging the VAT @ 1/6 VAT Faction. The total amount to repay is £2,276.00.

Storage Hut – The amount of VAT that should have been charged during the period July 2010 to March 2014 is £120.00. As there will be no onward VAT only charge, HMRC are charging the VAT @ 1/6 VAT Fraction. The total amount to repay is £100.

Martello Kiosk - The amount of VAT that should have been charged during the period July 2010 to March 2014 is £8,640.00. As there will be no onward VAT only charge, HMRC are charging the VAT @ 1/6 VAT Fraction. The total amount to repay is £7,198.00.

Rental of 37 Church Street – The amount of VAT that should have been charge during the period July 2010 to March 2014 is £384.00. As there will be an onward charge, HMRC are charging the VAT at 20%. The total amount to repay is £384.00 however as an invoice has been raised to pass on the cost, the Council can reclaim this amount on the next VAT return.

Ambulatory Concessions - Mr Smith is insistent that by charging PWW for “Mobile Kiosk Concessions” this suggests they are ambulatory concessions of a right to operate a catering concession (standard rate VAT) rather than a licence to occupy land (Exempt). Although we provided contracts stating that the mobile kiosk (ice cream vans) must remain in their allocated space at all times, Mr Smith says this information is not sufficient to be regarded as a licence to occupy and therefore cannot be treated as exempt. The total amount to repay is £20,136.00, part being charged at 20% where there would be on onward charge and part being charged at 1.6% where we would not. The amount of £18,186 would be invoiced to the current concession holder which would therefore mean that the Council can reclaim this amount on the next VAT return.

Expenditure re Golf Professional Charges – The amount of £561.00 was incorrectly claimed from an invoice that did not include VAT. The amount to repay is £561.00.

- 1.4 With regards to the Ambulatory Concessions, it is recommended that the Council support the Town Clerk in appealing the decision that VAT should be charged.
- 1.5 The above does not include any interest or penalties that the Council are likely to be liable for.
- 1.6 The VAT Notice of Assessment does not include the VAT for the Golf Club as HMRC are still to make a decision on our Option to Tax application.

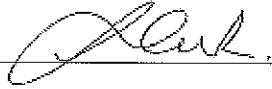
2. Financial Appraisal

The exact financial implications of this report will not be known until the HMRC have forwarded their computer generated assessment to include interest and penalties. The current cost excluding penalties and any interest is £12,085 however this does not take into account the VAT for the golf course which is still with the HMRC.

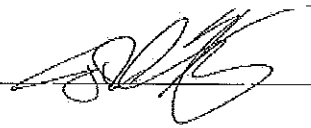
3. Contact Officer

The Contact Officer for this report is Lucy Clark, Support Services Manager.

Support Services Manager



Interim Town Clerk





HMRC (Public Bodies Group)

Seaford Town Council
37 Church Street
SEAFORD
East Sussex
BN25 1HG
For the attention of Lucy Clark

Hastings VAT Office
c/o Medvale House
Mote Road
MAIDSTONE
Kent ME15 6AF

Tel 03000 536743

Fax 03000 536797

Email

www.hmrc.gov.uk

Date 23 October 2014
Our Ref LC/I&PB/SO800H/807798580/SRS
Your Ref

Dear Lucy,

VAT Notice of Assessment

VAT registration number: 807 7985 80

Local office code: 110

Thank you for your communications 25 September and 15 October 2014.

The following is a summary of the VAT due to HMRC by VAT Accounting Period and below that I have included a schedule of the errors by type as initially identified to you in my post visit letter dated 11 July 2014:-

Summary

From	To	Due to HMRC	Due from HMRC
1 January 2011	31 March 2011	£5,871.00	
1 April 2011	30 June 2011	£841.00	
1 July 2011	30 September 2011	£295.00	
1 October 2011	31 December 2011	£591.00	
1 January 2012	31 March 2012	£6,595.00	
1 April 2012	30 June 2012	£79.00	
1 July 2012	30 September 2012	£379.00	
1 October 2012	31 December 2012	£150.00	
1 January 2013	30 March 2013	£7,123.00	
1 July 2013	30 September 2013	£16.00	
1 October 2013	31 December 2013	£742.00	
1 January 2014	31 March 2014	£7,973.00	

Information is available in large print, audio tape and Braille formats.
Type Talk service prefix number – 18001



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The total amount you need to pay is £30,655.00

SCHEDULE OF ERRORS

(1) **Filming** – Based on the income figures provided in Appendix A of your letter dated 31 July 2014. VAT calculated as inclusive of the income received based on your confirmation 25 September 2014 that there would be no onward VAT only charge to the customers.

VAT Accounting Period	Net Income Advised	VAT @ 1/6 VAT Fraction
06/11	£5,050.00	£841.00
09/11	£1,770.00	£295.00
12/11	£1,550.00	£258.00
03/12	£900.00	£150.00
06/12	£475.00	£79.00
09/12	£2,275.00	£379.00
12/12	£900.00	£150.00
03/13	£500.00	£83.00
09/13	£100.00	£16.00
12/13	£150.00	£25.00
	TOTAL	£2,276.00

(2) **Storage Hut** - Based on the income figures provided in Appendix B of your letter dated 31 July 2014. VAT calculated as inclusive of the income received based on your confirmation 25 September 2014 that there would be no onward VAT only charge to the customer.

VAT Accounting Period	Net Income Advised	VAT @ 1/6 VAT Fraction
03/14	£600.00	£100.00
	TOTAL	£100.00

(3) **Martello Kiosk** - Based on the income figures provided in Appendix C of your letter dated 31 July 2014. VAT calculated as inclusive of the income received based on your confirmation 15 October 2014 that there would be no onward VAT only charge to the customer.

VAT Accounting Period	Net Income Advised	VAT @ 1/6 VAT Fraction
03/11	£8,650.00	£1,441.00
12/11	£2,000.00	£333.00
03/12	£10,050.00	£1,675.00
03/13	£10,000.00	£1,666.00
12/13	£2,000.00	£333.00
03/14	£10,500.00	£1,750.00
	TOTAL	£7,198.00

(4) **Rental of 37 Church Street** - Based on the only income figure detailed in your letter dated 31 July 2014. VAT calculated as exclusive of the income received based on your confirmation 25 September 2014 that there would be an onward VAT only charge to the customer.

VAT Accounting Period	Net Income Advised	VAT @ 20%
12/13	£1,920.00	£384.00
	TOTAL	£384.00

(5) **Ambulatory Concessions** - Based on the income figures provided in Appendix A of your letter dated 15 October 2014. VAT calculated as either:-

(a) Inclusive of the income received from FCFS (as there would be no onward VAT only charge to the customer) or

(b) Exclusive of the income received from PWW as there would be an onward VAT only charge to the customer).

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Both scenarios confirmed in that letter.

VAT Accounting Period	Net Income Advised	VAT
03/11	£5,700.00	£950.00 @ 1/6
03/11	£17,400.00	£3,480.00 @ 20%
03/12	£6,000.00	£1,000.00 @ 1/6
03/12	£18,850.00	£3,770.00 @ 20%
03/13	£26,870.00	£5,374.00 @ 20%
03/14	£27,810.00	£5,562.00 @ 20%
	TOTAL	£20,136.00

(6) Expenditure re Golf Professional Charges - Based on your confirmation that the only instance in this matter is as detailed in your letter dated 31 July 2014. VAT disallowed.

VAT Accounting Period	VAT Erroneously Claimed	VAT Recovery
03/14	£561.17	£561.00
	TOTAL	£561.00

Summary of error totals:-

- (1) £2,276.00
- (2) £100.00
- (3) £7,198.00
- (4) £384.00
- (5) £20,136.00
- (6) £561.00

TOTAL £30,655.00

What happens next

We will send you a copy of the computer generated assessment separately. This will show whether you have to pay any default interest. Please pay the amount due as soon as you receive the assessment.

You may be liable to a penalty. If you are then we will let you know separately.

What to do if you disagree

If you disagree with our decision, you need to write to us within 30 days of the date of this letter, telling us why you think our decision was wrong and we will look at it again. If you prefer, we will arrange for a review by a person not previously involved in the matter. You will then have the right to appeal to an independent tribunal. Alternatively you can appeal direct to the tribunal within 30 days of this letter.

You can find further information about this in fact sheet HMRC1 *HMRC Decisions – What to do if you disagree*. You can get this fact sheet by downloading it from our website at www.hmrc.gov.uk/factsheets/hmrc1.pdf or by phoning the HMRC orderline on 0845 900 0404.

Finally, please accept my thanks for the assistance in settling this matter. Obviously if there are any further issues arising from this letter then please do not hesitate to contact me at the address above.

Yours sincerely,

S SMITH
HIGHER OFFICER of HM REVENUE & CUSTOMS

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Seaford Town Council

Report 153/14

Agenda Item No: 24
Committee: Council
Date: 6 November 2014
Title: Direct Debit Cards for the Council
By: Lucy Clark
Purpose of Report: To agree to the Council obtaining three Debit Cards.

Recommendations

You are recommended:

1. To agree to the Council obtaining three Debit Cards.

1. Information

- 1.1** It is now necessary for the Council to hold Debit Cards for use in particular with purchases over the internet and for items with the new golf club. Currently staff are using their own cards and then reclaiming the money, this is not acceptable but is the best practical solution available at present.
- 1.2** It is recommended that the Council obtains three separate Business Debit Cards in the names of:
- | | | |
|-----------------|---|--------------------|
| James Corrigan | - | Town Clerk |
| Ben King | - | Facilities Manager |
| Oliver Stanyard | - | Business Manager |
- 1.3** A maximum limit of £1,000 will be set for each card.
- 1.4** All purchases will follow the existing procedure where a Purchase Order is required to be raised and authorised by an alternative managing officer.

On a weekly basis a print out of all debit card payments will be produced. A purchase payment slip will be attached along with all relating copies of purchase orders and supporting back up to enable two Councillor's to sign off the payments.

1.5 A review of the current Financial Regulations is outstanding and a section will be included for the use of Debit Cards. The above procedure will be incorporated within and will be produced at the next Council Meeting.

2. Financial Appraisal

2.1 There are no financial implications as a result of this report as apart from the cost of the purchase, there will be no charges by our bank for use of the debit card.

3. Contact Officer

3.1 The Contact Officer for this report is James Corrigan, Interim Town Clerk.

Support Services Manager



Interim Town Clerk





Seaford Town Council

Report 154/14

Agenda Item No: 25
Committee: Council
Date: 6 November 2014
Title: Seaford's Flood Plan
By: James Corrigan
Purpose of Report: To establish a working group to look in to the flood plan in place for Seaford and develop a strategy for the Council going forwards, reporting back to Council at a later date.

Recommendations

You are recommended:

- 1. To establish a working group to look in to the flood plan in place for Seaford and develop a strategy for the Council going forwards, reporting back to the Council at a later date.**
 - 2. To delegate power to the working group to co-opt external members as it deems necessary.**
-

1. Information

- 1.1** As a result of the public presentation on Friday 24th October regarding the flood risks Seaford could be faced with, concern has been raised regarding the lack of awareness and understanding of the flood plan for Seaford, the potential risks it faces as a town and the plans in place should such a situation arise.
- 1.2** Due to the nature of the topic and the vast amount of information that needs to be researched and digested, and the number of external organisations and individuals that will need to be contacted it is felt that the best way forward would be for the Council to establish a working group to look into the whole matter with a view to developing a strategy going forwards.
- 1.3** The Council does currently have an appointed representative on the Coastal Futures Group, Councillor Latham, and Councillors Allen, Dunn and Franklin also sit on the Environment Agency meetings that are held on a quarterly basis. If not on the working group itself they may be able to offer insight in to certain areas.
- 1.4** If a working group is set up it is advisable to delegate power to the working group to co-opt external members as it deems necessary.

2. Financial Appraisal

There are no direct financial implications as a result of this report.

3. Contact Officer

The Contact Officer for this report is James Corrigan, Interim Town Clerk.

Interim Town Clerk





Seaford Town Council

Report 147/14

Agenda Item No:	26
Committee:	Council
Date:	6 November 2014
Title:	Newsletter Distribution
By:	James Corrigan
Purpose of Report:	To approve a change in the way the Council distributes its Newsletters, improving communication with its residents.

Recommendations

You are recommended:

- 1. To consider the options available for the distribution of the Council's quarterly newsletter and approve an increase in spend accordingly for the Newsletter.**
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1. Information

- 1.1** In the past the Council's quarterly newsletter has not been widely distributed and has therefore not met its aim of ensuring openness and regular communication with the residents of Seaford.
- 1.2** For the last two editions the newsletter has been printed professionally with staff and Councillors then delivering it to local businesses to have available for members of the public. Whilst this is an improvement on previous distribution, there will still be a large proportion of residents that do not see and may not even be aware of the Council's newsletter.
- 1.3** At the time of writing there are 11,556 residential properties in Seaford. It is recommended that the Council consider distributing a copy of the quarterly newsletter to each household in the town, thus inarguably giving all residents of the town a chance to have a better understanding of the role of the Council and its responsibilities, and also improving the relationship and communication channels between the Council and residents.
- 1.4** In order to supply each household with a copy of the newsletter the Council would need to have the newsletter professionally printed and distributed. Costs for this are included in the financial appraisal section.

- 1.5 One final point to note is that the current budget for 'advertising & publicity' is only £200.00 for the entire 2014-15 financial year. This is an unrealistic budget and therefore there will be a considerable overspend in this department. If the Council approves distributing the newsletter more widely, the budget for 2015-16 would be set accordingly.

2. Financial Appraisal

- 2.1 Printing prices have been sought for 12,000 copies (based on 16 pages) with the cheapest being £1,580.00 (13.1p per copy). This would cover distribution to all households and commercial properties in the town centre (those that are willing to take copies).
- 2.2 Prices have also been sought for delivering newsletters to each household in the town with the cheapest being £594 for 12,000 properties.
- 2.3 Over the course of a year (four editions) this would be £8,696.00.

3. Contact Officer

The Contact Officer for this report is James Corrigan, Interim Town Clerk.

Interim Town Clerk

