



## Seaford Town Council

**Report 247/14**

**Agenda Item No:** 12  
**Committee:** Council  
**Date:** 9 April 2015  
**Title:** Annual Report  
**By:** James Corrigan, Town Clerk  
**Purpose of Report:** To present the draft 2014/15 Annual Report for approval.

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### Recommendations

#### You are recommended:

1. To approve the 2014/15 Annual Report as presented at Appendix A.
  2. To approve the Annual Report being provided free of charge in hard copy where requests are made; at a limit of one per individual.
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### 1. Information

- 1.1 The Council is presented with the draft 2014/15 Annual Report for approval ahead of publishing. Due to being in colour this can be found attached at the end of the agenda pack, labelled Report 244/14 Appendix A.
- 1.2 This year Council Officers have undergone a review of the Annual Report and created what is expected to be a more informative and user-friendly publication.
- 1.3 Once approved, the report will be made available both in hard and electronic copy for interested parties. The aim will be to distribute as much as possible electronically, however hard copies will be available upon request. The report will be made available on the Council's website, Facebook page and emailed to its contacts.
- 1.4 It is recommended that despite the Council's adopted Publication Scheme stating otherwise, the Annual Report be provided free of charge in hard copy to members of the public requesting it.

This report is a key factor in communicating with the public and as with newsletters, should not be subject to a publication fee. The Council may however decide to set a limit say of one copy per individual should they wish to.

**2. Financial Appraisal**

Quotes have been obtained for the printing of the Annual Report, the cheapest being from Sussex Print Services at £495.00 for 300 copies of the document on A3 centre stapled. The next nearest quote was nearly £200 dearer.

This is considerably cheaper than the cost and time that would be needed to print such quantities in house.

**3. Contact Officer**

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

Town Clerk



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# Seaford Town Council

Report 246/14

**Agenda Item No:** 13  
**Committee:** Council  
**Date:** 9 April 2015  
**Title:** Corporate Governance Review  
**By:** James Corrigan, Town Clerk  
**Purpose of Report:** To update the Council on progress made and planned actions going forward.

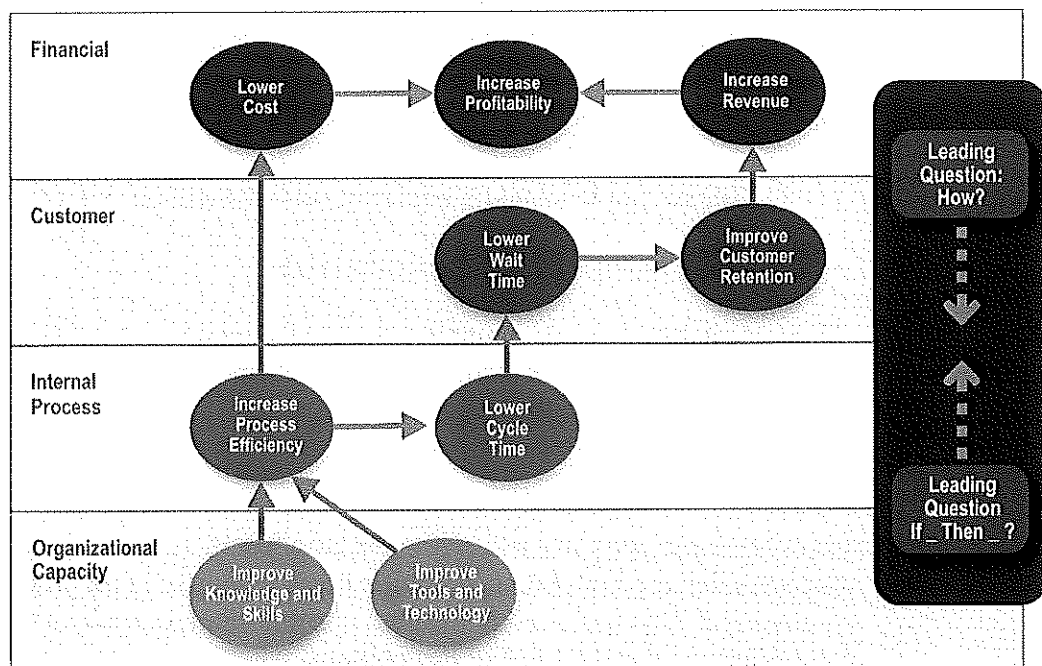
## Recommendations

You are recommended:

1. To note the contents of the report and make any comments.

## 1. Information

- 1.1 Further to a previous Council meetings discussion a review of the Council's Corporate Governance has commenced. This is being undertaken using a Balanced Scorecard Approach. This is demonstrated in the image below.



## 1.2 Financial:

Priority has been given to this aspect of the review in direct response to the requirements set by the Council. Areas that have been addressed include;

- Revenue generation from leases
- Analysis of land holdings to generate capital receipts
- Developing revenue streams at the golf club
- Analysis of land holdings to look for additional revenue streams
- Reviewing memorial donations
- Reviewing concessions
- Reviewing priority for development plans going forward
- Reviewing Business Rates requirements
- Reviewing revenue accounts for savings and revenue generation

Some of these reviews have already resulted in material changes such as the lease review, whilst other areas are very much work in progress. Reports will be submitted to Council going forward on all areas as progress is made.

## 1.3 Customer:

The indicators for public sector are slightly different from the model above, however the above model remains relevant for some Council services such as Golf and the Clubhouse. For public sector services the relevant indicator is customer satisfaction, service availability, service responsiveness and service reliability.

- Developing communication channels with the public including website, newsletter, Annual Report, social media and an annual customer survey
- Improved marketing and publicising of what Seaford Town Council does
- Providing excellent services
- Improving level and quantity of services without impacting on budgets
- Increased use of commercial services

Progress has been made in publicising the Council and its activities, the new press release procedure supported this. A comprehensive marketing strategy will be developed to improve this aspect further.

## 1.4 Internal Processes:

There are some good internal processes however there are many gaps and some processes that are inefficient. A comprehensive review of all processes has commenced. This has directly resulted in some changes such as the new proposed committee cycle and Financial Regulations.

Review all processes for efficiency improvements  
Review suite of processes ensure complete  
Review scheme of delegation  
Review all relevant policies  
Simplifying IT and Paper filing systems improve efficiency

#### **1.5 Organisational Capacity:**

A number of areas have been introduced such as Annual Appraisals for all staff and improved internal and external training. All other areas are currently being developed in preparation of the new Council post the pending elections.

Review of Objectives and Mission Statement  
Development of Councillors induction training programme  
Undertaking Annual Appraisals highlight training needs  
Create training scheme  
Holding of regular internal training sessions  
Introduction of annual Councillor and Staff "Away Day".  
Review IT Capacity  
Purchase of additional software to improve efficiency  
Develop complete machinery replacement programme linked to budgets

#### **1.6 Progress:**

There has been significant progress in improving the Councils Financial position in particular income generation via leases and the Golf Club. Proposals will be submitted over the coming months to generate further significant improvements.

Customer service has improved significantly with complaints reducing to zero and communication channels now open. Positive comments are regularly made at public meetings about the new approach and feedback is increasing. Press releases are now a regular occurrence with more being issued in the past three months than in two years previously. It is proposed to introduce an annual town wide customer satisfaction survey this Municipal year as well as consulting regularly on individual projects.

The Internal Process review has commenced with some changes presented to this meeting, this will be ongoing for some time but it is planned to complete this review by the end of the Municipal year.

Organisational Capacity has improved significantly with all staff having undergone regular informal internal training, learning on the job and many undertaking external courses. The beginning of a new Council also offers an ideal opportunity to start a new Councillors training programme.

Whilst it is unusual to operate without a strategic plan including objectives and Mission Statement this has not been developed in the past few months as it would be more appropriate to develop this with the new Council, probably on an “away day” (at Seaford Head Golf Club) to ensure that the Council takes ownership of this strategic vision.

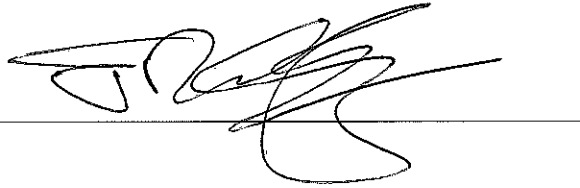
**2. Financial Appraisal**

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

**3. Contact Officer**

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

Town Clerk

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## Seaford Town Council

Report 245/14

<b>Agenda Item No:</b>	<b>14</b>
<b>Committee:</b>	<b>Council</b>
<b>Date:</b>	<b>9 April 2015</b>
<b>Title:</b>	<b>Adoption of New Financial Regulations</b>
<b>By:</b>	<b>James Corrigan, Town Clerk</b>
<b>Purpose of Report:</b>	<b>To present draft Financial Regulations for adoption.</b>

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### Recommendations

#### You are recommended:

- 1. To adopt the Draft Financial Regulations with immediate effect.**
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### 1. Information

- 1.1** Further to the recent Internal Audit which highlighted the weaknesses of the existing Financial Regulations a new set of Regulations is presented for adoption by the Council.
- 1.2** As has been highlighted elsewhere on the agenda there is a root and branch review currently underway of all Council policies and procedures. This will inevitably present the new Council with a high number of new policies to review and adopt. However it is not felt that this one can wait in view of the comments made by the Internal Auditor.
- 1.3** The new Regulations are based on the NALC recommended regulations with a number of changes. The NALC model regulations are generic and attempt to meet the needs of all sizes of local Council from those with an annual budget of £1000 through to those with an annual budget of £3,000,000.
- 1.4** Inevitably the Regulations slant more towards the smaller Councils of which there are more. Generally speaking these do not have that many transactions and only one part time member of staff so have different needs.
- 1.5** However for Larger Local Councils such as Seaford with hundreds of transactions every month more Officer accountability and flexibility needs to be built into the Regulations.
- 1.6** The changes made (that reflect current practices) therefore have given greater flexibility to Officers to manage the Councils finances within Committee budgets.

This enables the Council to operate more like a business, as it must in most instances, and is less bureaucratic. This in turn makes the Council more effective and efficient in taking appropriate action where necessary. The activities at the Golf facility in particular make this essential.

- 1.7 However this is policed with the significant internal controls the Council has in place to ensure there is a separation of powers which in turn means that there is no room for undetected fraud, misappropriation or financial errors.
- 1.8 These Regulations largely reflect the current practices of the Council in any event.
- 1.9 Clarity on the tender process has also been achieved, this is an area that officers have expressed concern about in the past.

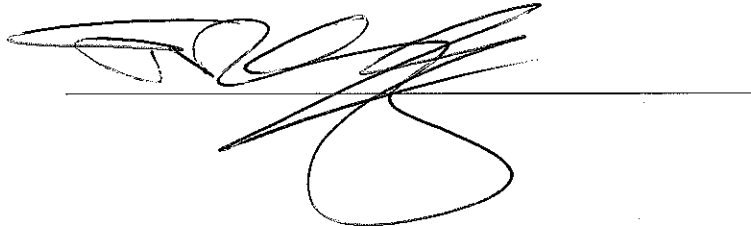
## 2. Financial Appraisal

There is no financial implication as a result of this report.

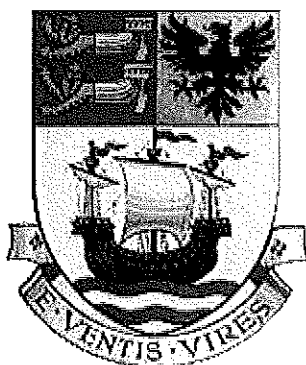
## 3. Contact Officer

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

Town Clerk

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# Seaford Town Council

## FINANCIAL REGULATIONS

(Based on NALC 2014 model Financial regulations)

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These Financial Regulations were adopted by the Council at its Meeting held on 9<sup>th</sup> April 2015.

## 1. GENERAL

- 1.1. These Financial Regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial Regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial Regulations must be observed in conjunction with the Council's Standing Orders<sup>1</sup> and any individual Financial Regulations relating to contracts.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:
  - for the timely production of accounts;
  - that provide for the safe and efficient safeguarding of public money;
  - to prevent and detect inaccuracy and fraud; and
  - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the Council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. A breach of these Regulations by an employee is gross misconduct.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. The Town Clerk has been appointed as RFO for this Council and these regulations will apply accordingly.
- 1.9. The RFO;

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<sup>1</sup> Model standing orders for Councils are available in Local Councils Explained © 2013 National Association of Local Councils

- acts under the policy direction of the Council;
  - administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - determines on behalf of the Council its accounting records and accounting control systems;
  - ensures the accounting control systems are observed;
  - maintains the accounting records of the Council up to date in accordance with proper practices;
  - assists the Council to secure economy, efficiency and effectiveness in the use of its resources; and
  - produces financial management information as required by the Council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the Accounts and Audit Regulations<sup>2</sup>.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the Council and the matters to which the income and expenditure or receipts and payments account relate;
  - a record of the assets and liabilities of the Council; and
  - wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
  - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;

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<sup>2</sup> Accounts and Audit (England) Regulations 2011/817

- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the Council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

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

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

shall be a matter for the full Council only.

1.14. In addition the Council must:

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

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

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

## **2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)**

- 2.1. All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Finance and General Purposes Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the Council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The Council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the Council shall make available such documents and records as appear to the Council to be necessary for the purpose of the audit and shall, as directed by the Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Council in accordance with proper practices.
- 2.6. The internal auditor shall:
  - be competent and independent of the financial operations of the Council;
  - report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - have no involvement in the financial decision making, management or control of the Council.
- 2.7. Internal or external auditors may not under any circumstances:
  - perform any operational duties for the Council;
  - initiate or approve accounting transactions; or

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

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

- 3.1. Each committee shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Council not later than the end of December each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than the end of December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Council.
- 3.3. The Council shall consider annual budget proposals in relation to the Council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The Council shall fix the precept (Council tax requirement), and relevant basic amount of Council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

#### 4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure by the RFO on revenue items up to the amounts included for that class of expenditure in the approved budget is authorised. This authority is to be determined by the Council when setting the Annual Budget.
- 4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for a Committee Budget other than by resolution of the Council. During the budget year it is expected that Account Codes will vary to budget and that consequently Cost Centres will also. However the Committee spend has to be within budget unless approved otherwise by Council. There is no need to undertake virements.
- 4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year. Any such funds will be considered for allocation to earmarked reserves at the same meeting that approves the Annual Return.
- 4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of the Council. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.5. In cases of extreme risk to the delivery of Council services, the Clerk may authorise revenue expenditure on behalf of the Council which in the Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £10,000. The Clerk shall report such action to the Council as soon as practicable thereafter.
- 4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.7. All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.
- 4.9. Changes in earmarked reserves shall be approved by Council as part of the budgetary control process.

## **5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO shall prepare a schedule of payments to be made for at least two Councillors to authenticate each payment as well as the Budget Manager and the RFO.
- 5.3. The schedule of payments made will be presented to the Finance and General Purposes Committee on a quarterly basis. The Finance and General Purposes Committee shall review the schedule for compliance and, having satisfied itself shall accept payments were in order by a resolution of the Finance and General Purposes Committee. The approved schedule shall be initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.4. All invoices for payment shall be examined, verified and certified by the budget manager and then the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out and examined.
- 5.5. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, in a timely fashion.
- 5.6. The Clerk and RFO shall have delegated authority to authorise the payment of all items that are necessary to provide the services of the Council on line with the Council's scheme of delegation and the budgets set by the Council.
- 5.7. For each financial year within the budget spreadsheet the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively, Salaries, PAYE and NI, Superannuation Fund and grounds maintenance contracts and the like. The Council will authorise payment for the year.
- 5.8. In respect of grants the Finance and General Purposes Committee shall approve expenditure in accordance with the Grants Policy and within any limits set by Council.
- 5.9. Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.



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

## **6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

- 6.1. The Council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by electronic payment wherever possible.
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to Finance and General Purposes Committee shall be signed by two members of Council, and countersigned by the Clerk. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the Purchase Invoice Authorisation slip.
- 6.6. If thought appropriate by the RFO, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to Finance and General Purposes Committee as made. The approval of the use of a variable direct debit shall be renewed by resolution of the Council at least every two years.
- 6.7. If thought appropriate by the Council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to Finance and General Purposes Committee as made. The approval of the use of a banker's standing order shall be renewed by resolution of the Council at least every two years.
- 6.8. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Town Clerk in a sealed dated envelope. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable.

- 6.9. No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the Council or a duly delegated committee.
- 6.10. The Council has a regular back up service provided by East Sussex County Council of all information held on its shared drive.
- 6.11. The Council, and any members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.12. Where internet banking arrangements are made with any bank, the Clerk [RFO] shall be appointed as the Service Administrator. The bank mandate approved by the Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.13. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.14. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by The Support Services Manager and the Town Clerk. A programme of regular checks of standing data with suppliers will be followed.
- 6.15. Any Debit / Credit Card issued is to be used in accordance with the Councils Debit card policy and procedure.
- 6.16. The Support Services Manager shall provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the Support Services Manager with a claim for reimbursement.
- a) The Support Services Manager shall maintain a petty cash float of £250 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
  - b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
  - c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5.2 above.

## 7. PAYMENT OF SALARIES

- 7.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with contracts of employment payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by Council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Personnel Sub-Committee or Council.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record. This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
  - a) by any Councillor who can demonstrate a need to know;
  - b) by the internal auditor;
  - c) by the external auditor; or
  - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for all employees.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.
- 7.8. Before employing interim staff the Council must consider a full business case.

## **8. LOANS AND INVESTMENTS**

- 8.1. All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full Council.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full Council. In each case a report in writing shall be provided to Council in respect of value for money for the proposed transaction.
- 8.3. The Council will arrange with the Council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the Council at the same time as one is issued to the Clerk or RFO.
- 8.4. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 8.5. The Council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the Council at least annually.
- 8.6. All investments of money under the control of the Council shall be in the name of the Council.
- 8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

## **9. INCOME**

- 9.1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3. The Council will review all fees and charges at least annually, following a report of the Clerk.

- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 9.5. All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

## **10. ORDERS FOR WORK, GOODS AND SERVICES**

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by budget managers and the RFO.
- 10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.
- 10.4. A member may not issue an official order or make any contract on behalf of the Council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

## **11. CONTRACTS**

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

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
  - v. for additional audit work of the external auditor up to an estimated value of £2000 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of Council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where it is intended to enter into a contract exceeding £20,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.
- c. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- d. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- e. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of Council.
- f. If less than three tenders are received for contracts above £60,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.

- g. Any invitation to tender issued under this regulation shall be subject to Standing Order 18,<sup>3</sup>
- h. When it is to enter into a contract of less than £20,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £7,000 and above £1000 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- i. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j. Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- k. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

## **12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS**

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the Council.
- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the Clerk to the contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

<sup>3</sup> Based on NALC's model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils

### **13. STORES AND EQUIPMENT**

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

### **14. ASSETS, PROPERTIES AND ESTATES**

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council. The RFO shall ensure a record is maintained of all properties held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £1000.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. Subject only to the limit set in Reg. 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council with a full business case.



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

## **15. INSURANCE**

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2. Section Managers and the Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to Council at the next available meeting.
- 15.5. All appropriate members and employees of the Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

## **16. CHARITIES**

- 16.1. Where the Council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.
- 16.2. This section currently does not apply to Seaford Town Council.

## **17. RISK MANAGEMENT**

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

- 17.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

## **18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 18.1. It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these financial regulations.
- 18.2. The Council may, by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.

\* \* \*



## Seaford Town Council

**Report 248/14**

**Agenda Item No:** 15  
**Committee:** Full Council  
**Date:** 9 April 2015  
**Title:** Grants Policy  
**By:** James Corrigan, Town Clerk  
**Purpose of Report:** To present a draft Grants Policy for adoption.

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### Recommendations

#### You are recommended:

1. To formally adopt the Grants Policy as attached at Appendix A.
  2. If adopted, to approve a review date by the Council of April 2018.
- 

### 1. Information

- 1.1 As part of the review of Council policies and procedures it was noted that the Council does not have a Grants Policy in place. In order to ensure fairness and accuracy when awarding and processing the annual grants, the Council and Council Officers need a formally adopted policy to follow.
- 1.2 As Grants will be considered at the first Finance and General Purposes it is important to have the policy adopted to give the new Committee a Framework to work within.
- 1.3 Attached at Appendix A is a draft Grants Policy presented to the Council for consideration and adoption.
- 1.4 The key outcome of this policy is to ensure that the process is fair and transparent throughout.
- 1.5 It is recommended that the review date for this document be set as April 2018.

### 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, Town Clerk.

Town Clerk



## Seaford Town Council

### Grants Policy

#### 1. INTRODUCTION:

##### DEFINITION:

A grant is any payment made by the Council for the specific purpose it is claimed for and for the well-being of the Seaford community.

##### OBJECTIVES:

The Council is committed, through this policy, to promote Seaford as a vibrant, active and sustainable community, and contribute to the development of projects and services that benefit that community. In doing so, the Council is aware of its responsibility for public funds and for the distribution of these funds to be managed in accordance with the law and proper standards.

##### RULES:

- 1.1 Financial grants are awarded by the Finance & General Purposes Committee (F&GP) once a year; the timing of which coincides with the commencement of the financial year in April or in an election year at the first full (F&GP) meeting of the Municipal year in May or June.
- 1.2 Grants will be judged against clear and consistent criteria, and the successful applicants are required to adhere to a number of conditions set out in this policy.
- 1.3 The Council reserves the right to reclaim any grant not being used for the purpose specified on the application form.
- 1.4 The Council operates a fully documented and transparent policy for awarding grants to ensure fairness and equality throughout the process.
- 1.5 All applications will be considered together on their individual merits. The final decision of assessment of applications and the level of any grant offered lies with the F&GP Committee.

#### 2. WHO CAN APPLY?

- 2.1 To be eligible to apply for a Large grant from the Council, the applicant provide / meet all of the below must meet all of the following criteria:
  - a. Voluntary/community group providing a service or activity for the benefit of the residents of Seaford;
  - b. Written set of rules, constitution, or other governing document, and can provide a copy with the application which is current and properly authorised;
  - c. Bank account held in the name of the group requiring at least two signatures for cheque transactions or cash withdrawals;
  - d. Copy of their latest annual accounts/latest bank statement/balance sheet OR (for new groups) an income and expenditure plan for their first year of operation;
  - e. Equality and/or Equal Opportunities policy (this policy may be contained within their constitution or other governing document);

- f. Public liability insurance to the value of at least £1 million;
- g. Policy to ensure the safeguarding of children or vulnerable adults (where appropriate);
- h. Does not have an outstanding loan or is not financially indebted to the Council.

2.2 To be eligible to apply for a **Small** grant, the applicant must meet criteria points a,b,c and d above.

2.3 The Following **are not** eligible

- a. Individuals, businesses, religious groups or political parties
- b. projects that are the statutory responsibility of other authorities.
- c. Grants will not usually be awarded for projects or services already delivered, or where the grant exceeds 50% of the cost of the project or service.

### **3. HOW TO APPLY?**

3.1 The Council offers two types of financial grants; small grants (up to £500) and large grants (£500 and over).

3.2 The maximum grant amount that can be awarded is £3,000.

3.3 There are different application forms for small or large grants and the applicant must ensure they are using the correct form for their requirements; the two forms are available on request to the Council.

3.4 Applications must be made in the name of the organisation to which financial assistance is to be granted.

3.5 Different supporting documentation will be required for each type of application; these are covered in more detail in section 4 and on the application form, so please ensure applications are submitted with the correct documentation.

3.6 Both types of application will be considered at the same Committee meeting.

3.7 The Council will award a grant at a figure it deems suitable not necessarily the figure that has been applied for.

### **4. SUPPORTING DOCUMENTS**

4.1 For small grants of less than £500 applications must be supported by a simple budget of the group or organisation's activities. In the case of an organisation starting up, a projected budget should be submitted along with a supporting business plan and risk management plan.

4.2 For large grants of £500 or more, applications must be supported with the accounts of the relevant organisation for a period of one financial year prior to the date of application, and indicate expenditure, income, assets and liabilities, together with funding obtained from other partner bodies, if appropriate.

4.3 Applications without the necessary supporting documentation will not be able to be considered.

### **5. SCORING CRITERIA**

5.1 Applications will be scored against the following criteria, with a point being counted for each criterion met:

- a. Go towards community development /public involvement;

- b. Support economic development, tourism or cultural activities;
- c. Provide services for young people, the elderly or vulnerable;
- d. Improve sport, physical activity, health and wellbeing;
- e. Improve the physical environment or address the problem of climate change;
- f. Contribute to something that has not already been paid for i.e. a future activity/spend;
- g. The applicant can demonstrate collaborative working (different organisations/agencies working together);
- h. The application is received on or before the closing date as advertised.

5.2 Scoring against the criteria will be done ahead of the meeting and recorded on the scoring matrix attached at Appendix A to this policy.

5.3 The scoring will be considered and approved by (F&GP) and used as a guideline when considering exact amounts of grants to be given.

5.4 Applicants will be informed in writing of the outcome of their application.

## **6. AWARDING**

6.1 Grants will be paid by cheque, addressed to the name specified on the application form. The Council will not make cheques payable to individuals

6.2 Where large grants are awarded the Council will aim to have the Mayor present each organisation with their cheque and have a photograph taken for a subsequent joint press release.

## **7. MONITORING AND EVALUATION**

7.1 All applicants will be supplied with a grant evaluation form with the grant which must be completed as soon as possible. Future grants will not be awarded until this is returned.

7.2 In the event that the grant money is not spent, either for the purpose it was given or within the relevant financial year; the grant or any remaining monies must be returned back to the Council and cannot be added wholly or partly to your reserves.

7.3 If for any reason the organisation disband during the period of the grant the Council may ask for all or part of the monies to be paid back.

## **8. TRANSPARENCY AND PUBLICITY**

8.1 The Council will publicise the availability of grant-aid widely throughout the community.

8.2 The Council will report annually on the total spends on grants and list the groups in receipt of a grant and the use made of the grants.

8.3 In awarding grants the Council recognises and supports the valuable contribution made by the voluntary sector to the well-being of the community.

8.4 Organisations receiving Town Council grants must acknowledge the Council in any relevant publicity, larger grants recipients may be required to display a plaque, supplied by the Council signifying Seaford Town Councils support.

8.5 For large grants representative of your organisation will be asked to provide a presentation to the annual Town Forum.

8.6 All successful applicants will be invited to hold a stall/display stand at the annual Town Forum to demonstrate their successes, their services and the benefit experienced by the grant.



## Seaford Town Council

**Report 244/14**

<b>Agenda Item No:</b>	<b>16</b>
<b>Committee:</b>	<b>Council</b>
<b>Date:</b>	<b>9 April 2015</b>
<b>Title:</b>	<b>The Salts Play Area – Contractor Selection</b>
<b>By:</b>	<b>Ben King, Projects &amp; Facilities Manager</b>
<b>Purpose of Report:</b>	<b>To seek delegated authority to appoint a play manufacturer for the design and build of The Salts Play Area.</b>

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### **Recommendations**

**You are recommended:**

- 1. To grant delegated power to the Town Clerk in consultation with the Chairman of the Community Services Committee to appoint the selected contractor for the design and build of The Salts Play Area.**
  - 2. To allocate up to £15,000 from the projects revenue budget to this project to cover any shortfalls.**
- 

### **1. Information**

- 1.1** Tenders have now been received for the design and build of The Salts Play Area. Four submissions have been made, out of five original invitations and the results are varied.
- 1.2** All suppliers were given a list of essential criteria and were required to provide these with a budget of £200,000. This is all coming from S.106 funds.
- 1.3** Due to the complicated nature of the existing site, the dilapidated materials, equipment and the build-up of the ground, each of the manufacturer's proposals were all quite different.
- 1.4** The result is that there is currently only one proposal that would deliver most aspects of the design brief and within budget; another, that by making savings through variations would be able to deliver within budget; and the two others are likely to cost more to fully meet the design brief in their current form but that exceed the design brief in other aspects.
- 1.5** The priority is now to seek the public's views to enable a contractor to be selected, then following variation of their design officers would reach an agreed design solution and one that meets the available budget, potentially with certain elements added later.

- 1.6 Due to high priority of the project and the design selection being made by the public it is recommended that delegated powers be granted to the Town Clerk in consultation with the Chairman of the Community Services Committee to appoint a contractor that receives the most votes, is within budget and meets all the essential criteria following public selection; enabling the prompt progression of the project.
- 1.7 To deliver the project in full it may be necessary to utilise some of the Councils projects budget which is earmarked for the seafront project. Additional funds can be sought for the seafront project as it is not anticipated this will progress imminently. It is therefore suggested that up to £10,000 of the £45,000 projects budget is made available for the Salts Play equipment project.

## 2. Financial Appraisal

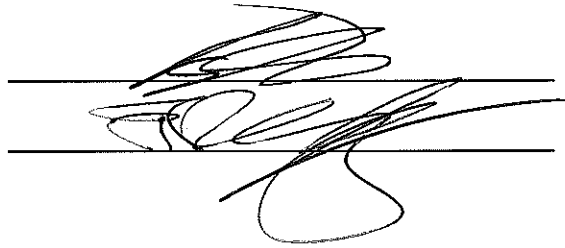
There are no cost implications to this Council if the project selected is within budget; the existing budget as awarded from S106, is £200,000 and variations will be made where ever possible to suit this budget. However up to £15,000 may be utilised from the project budget if this is needed to deliver the best project.

## 3. Contact Officer

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

Projects & Facilities Manager

Town Clerk

A handwritten signature in black ink, appearing to be 'Ben King', is written over two horizontal lines. The signature is stylized and somewhat messy, with a large loop at the bottom.





## Seaford Town Council

### Report 230/14

<b>Agenda Item No:</b>	<b>17</b>
<b>Committee:</b>	<b>Council</b>
<b>Date:</b>	<b>9 April 2015</b>
<b>Title:</b>	<b>Lewes District Council Standards Committee Minutes</b>
<b>By:</b>	<b>James Corrigan, Town Clerk</b>
<b>Purpose of Report:</b>	<b>To present the minutes and recommendations therein as a result of the meeting of LDC's Standards Committee on 30<sup>th</sup> January 2015.</b>

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#### Recommendations

##### You are recommended:

- 1. To consider the recommendations within the Standards Committee minutes; set out at section 1.3 a & b of this report for ease of reference.**
- 

#### 1. Information

- 1.1** Lewes District Council's Standards Committee met on 30<sup>th</sup> January 2015 to discuss the investigation further to a Code of Conduct complaint being made against Councillor Anthony White.
- 1.2** The minutes of this meeting are attached at Appendix A.
- 1.3** Section 5 of the minutes sets out the resolutions of the Standards Committee, including the following recommendations to Seaford Town Council for consideration;
  - (a)** The Panel recommends that the Town Council arranges training for Councillor A White as to the respective roles and responsibilities of Members and Officers.
  - (b)** The Panel further recommends that until such time as appropriate training has been received, Councillor A White be removed from all committees/sub-committees of the Council on which he serves.
- 1.4** The District Council's Standards Committee cannot insist that the Town Council offers the training or insist that until training is received Councillor A White is removed from the necessary committees. These are recommendations only and the decision on this will be for the Town Council.

1.5 For information; Councillor A White currently sits on the Golf and Community Services Committee, neither of which are scheduled to meet again in this Municipal Year.

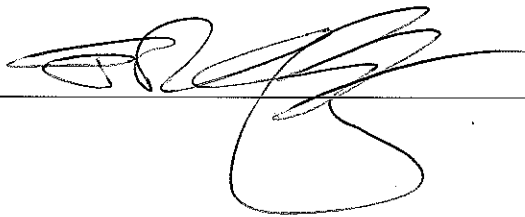
**2. Financial Appraisal**

None other than officer time to undertake the training session.

**3. Contact Officer**

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

Town Clerk



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## Audit & Standards Sub-Committee

**Minutes** of a meeting of the **Audit & Standards Sub-Committee Hearing Panel** held in the **Telscombe Room, Southover House, Southover Road, Lewes** on **Friday, 30 January 2015** at 1.00pm

**Present:**

Councillor M P Chartier (Chair on election)  
Councillors D McBeth and E E J Russell

**Officers Present:**

Ms A Blanshard, Committee Officer  
Ms C Knight, Monitoring Officer  
Ms L Lacon, Press Officer

**Also Present:**

Mr A Gales, Independent Person  
Mr A Oram, Investigating Officer  
Mrs S Shippen, Complainant  
Cllr L Wallraven, Complainant  
Ms J Allen, Public  
Mr B Leo, Argus

Minutes	Action
<p><b>1 Election of Chair of the Committee</b></p> <p><u>Resolved:</u></p> <p><b>1.1</b> That Councillor Chartier be elected Chair of the Committee for this meeting.</p>	
<p><b>2 Apologies for Absence/Declaration of Substitute Councillors</b></p> <p>There were no apologies for absence/ declarations of substitute Councillors. However it was noted that one of the Complainants had intended to attend but was unable to as he was out of the country. It was noted that the councillor the subject of complaint had written to say he would not be attending.</p>	
<p><b>3 Disclosure by councillors of personal interests</b></p> <p>There were no declarations of personal interests made by councillors present in respect of the items on the agenda.</p>	

#### **4 Exclusion of the Public and Press**

The Monitoring Officer introduced all those present at the Hearing. She explained that the Panel needed to decide whether the Hearing should be held in public, or if there were legitimate reasons for the Press and Public to be excluded. The Monitoring Officer informed the Panel that it could invite the Investigating Officer to present a summary of his investigation report in public and then move into closed session for detailed questions on the content of his report; alternatively it might choose to go into closed session and make a public statement at the end of the hearing.

The Panel requested that the Investigating Officer give a précis of his report at a high level in public session, and that the Public and Press then be excluded whilst the panel discussed its contents in more detail.

#### Resolved:

**4.1** That, under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public and press be excluded from the hearing during detailed discussion of Report No 16/15 on the Agenda as there was likely to be disclosures of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act. The public interest in maintaining the exemption outweighs the public interest in disclosing the information. It was agreed that the Investigating Officer give a high level précis to his report before moving into closed session.

#### **5 Investigation into Complaint against Councillor A White, Seaford Town Council**

The Investigating Officer informed those present that he had been appointed by the Council's Monitoring Officer to conduct an independent investigation into three complaints that had been received regarding the conduct of Councillor Anthony White of Seaford Town Council. He informed the Panel that he was a director of ch&i associates, a company specialising in local government investigations. Prior to this he had been a principal investigator for Standards for England and had conducted close to 300 investigations.

The Investigating Officer explained that the three complaints all related to Councillor Anthony White. The complainants alleged that on the 9 December 2013, Councillor Anthony White had been rude, aggressive and abusive to Councillor Ian White and Mrs Sam Shippen (former Town Clerk to Seaford Town Council) at Seaford Town Council Offices and to Councillor Linda Wallraven at her shop.

The Investigating Officer explained that much of the evidence he had obtained from the people he had spoken to had been consistent. On the 9 December 2013 Councillor Anthony White had arrived at Seaford Town Council Offices to see the then Town Clerk without an appointment. He had to wait for 45 minutes before Mrs Shippen was available. When Councillor

Ian White arrived for a scheduled appointment there was an argument between the two Councillors over who should see Mrs Shippen first. During this argument Councillor Anthony White behaved aggressively and verbally abused Councillor Ian White. Councillor Anthony White refused to wait and on entering Mrs Shippen's office used foul and abusive language and shouted at her. When Mrs Shippen left the building in a distressed state she was followed by Councillor Anthony White who continued to verbally abuse her.

Councillor Anthony White then contacted Councillor Wallraven in order to resign from the Conservative Group. He visited her shop and recounted the altercation he had with Councillor Ian White and Mrs Shippen. In doing so used foul language in front of a member of the public.

The Investigating Officer explained that as a result of his investigation, he had found that Cllr Anthony White had lost his temper and behaved in a way that was inappropriate for a Councillor.

The Chair of the Panel thanked the Investigating officer for his précis and the Hearing then moved into closed session.

Resolved:

Decision of the Audit & Standards Sub-Committee Hearing Panel  
Regarding Investigation into Complaint against Councillor A White, Seaford  
Town Council:

"The Panel accepts the Investigator's report as being an accurate account of those events which occurred on 9 December 2013.

The Panel determines that Councillor Anthony White breached Seaford Town Council's Code of Conduct in that by his behaviour he failed to treat the then Town Council clerk and two colleague councillors with respect. In addition, by conducting himself in the way he did, he brought his office of Mayor and Councillor and the reputation of his authority into disrepute.

Whilst it is recognised from the Investigator's report that there had been a breakdown in the professional relationship between Councillor A White and the then Town Clerk and the Leader of the Council, we find that on this occasion Councillor A White's behaviour was disrespectful and offensive and in our opinion threatening. In our view it fell far short of that behaviour expected from a councillor.

For the above reasons we have concluded that the following sanctions are appropriate:

The Monitoring Officer is requested to publish the Panel's findings and to relay these to the councillor and the Town Council.

The Panel recommends that the Town Council arranges training for Councillor A White as to the respective roles and responsibilities of

Members and Officers.

The Panel further recommends that until such time as appropriate training has been received, Councillor A White be removed from all committees/sub-committees of the Council on which he serves”.

The meeting ended at 3.04pm.

M P Chartier  
Chair