

To the Members of the Full Council

A Meeting of the Full Council will be held at 37 Church Street, Seaford on Thursday 18th May 2017 immediately following the Annual Meeting, which you are summoned to attend.

Japaes Corrigan Town Clerk 11th May 2017

AGENDA

1. Apologies for Absence

To consider apologies for absence.

2. Disclosure of Interests

To deal with any disclosure by Members of any disclosable pecuniary interests and interests other than pecuniary interests, as defined under the Seaford Town Council Code of Conduct and the Localism Act 2011, in relation to matters on the agenda.

3. Public Participation

To deal with any questions, or brief representations, from members of the public in accordance with Standing Order 3 and Seaford Town Council Policy.

4. Clerk's Report

To consider report 10/17 presenting the Clerk's update report (pages 2 to 4).

5. Standing Orders

To consider report 06/17 presenting the reviewed Standing Orders for adoption (pages 5 to 26).

6. Scheme of Delegation

To consider report 07/17 presenting the reviewed Scheme of Delegation for adoption (pages 27 to 34).

7. Document Retention Policy

To consider report 08/17 presenting a draft Document Retention Policy for adoption (pages 35 to 39).

8. Final Meeting Attendance Record 2016/2017

To consider report 09/17 presenting the meeting attendance record for the 2016-2017 Municipal Year (pages 40 to 41).

For further information about items appearing on this Agenda please contact:

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Circulation: All Councillors, Young Mayor, Deputy Young Mayor and email recipients.



P.1

Report 10/17

Agenda Item No:

4

Committee:

Council

Date:

18th May 2017

Title:

Clerk's Update Report

By:

James Corrigan, Town Clerk

Purpose of Report:

To update Councillors of key developments that the Town

Clerk has been involved in since the last Clerk's Report on

20th April 2017.

Recommendations

You are recommended:

1. To note the contents of the report.

1. Information

- 1.1 Please note this report is slightly shorter than usual as it only covers 14 work days.
- 1.2 Outstanding Freedom of Information Act requests, complaints and compliments, since the last Council on the 20th April 2017 there have been no valid Freedom of Information Act requests or official complaints although one complaint was submitted to the Monitoring Officer about a Town Councillor by a member of the public. This required some work of the Town Council but was subsequently dismissed by the Monitoring Officer as not proving any evidence of a breach of the Code of Conduct by the Councillor concerned.
- 1.3 Staffing update, the team at The View are responding very well to the new Manager, Craig Nicol, who is doing a very good job. However, the appointment of a replacement Head Chef is proving difficult, not an unusual situation within the catering industry.
- 1.4 Officer and Councillor development, nothing specific to report since the last meeting though many staff have been receiving on the job training as part of the learning culture that is being developed with 9 in the organisation. It may be that Council will wish to look at securing Investor in People Status at some point in the future.
- 1.5 Press releases, social media, website and Council Tax leaflet, since the April Council meeting 6 press releases have been issued. These have covered a range of issues from the objection to the Newlands development to the hugely successful Shoal launch event. The publicity Seaford received as a result of this press release was huge with both BBC and ITV local TV news covering the event as well as BBC local radio. 'How many benches have their own website and song?' is the question to be asked as well. The Shoal has proved to be hugely popular all round with over 50 applications for various fish being received within two weeks of the event.



- 1.6 Outstanding litigation, it was anticipated that by now a meeting would have been held with the Police Authority to discuss the methodology for attributing the service charges over the past nine years for the offices. This was cancelled by the Authority due to illness, subsequently the Authority is seeking to retrospectively increase the rent for the 37 Church Street offices. Legal advice is being sought on how best to deal with this approach. Exploration of the possibility of vacating the premises has commenced, the exact period of notice is being clarified if this were a decision taken by The Council. This will be reported back to Councillors in a report in due course to decide on the future location of the Council offices and looking at the options available. A working party of willing Councillors and experienced non-Councillors would be a useful mechanism to explore this further after a report has been brought back to Council.
- 1.7 The claim against the former Town Clerk for overpayment of salary and the dispute with the former tenant of Hurdis House are both progressing slowly.
- 1.8 A new potential claim has also emerged relating to the impact of the delays in building the new clubhouse at The View. The detail of this will remain necessarily confidential for now but will be reported fully to Councillors in due course to give direction on what approach to take once all the facts are known.
- 1.9 Corporate Governance and Policy review, as planned within the policy schedule there has been a significant amount of work done in this area again the Standing Orders, Scheme of Delegation and Document Retention policies are presented elsewhere on this agenda for consideration. Work has also taken place on the Health and Safety policy which will be circulated imminently and presented to the 20th July Council meeting. The View Business Plan and Corporate Communications strategy will be reviewed / developed for consideration at the July meeting also.
- Annual Return, support has been given to ensure the speedy closure of the 2016 /17 annual accounts ready for presentation to the Council at its meeting on 22nd June 2017. Lucy Clark and Simon Andrews have done a superb job of getting everything in order and ensuring the closure was a painless exercise. The work has now started to input the significant data from the months of April and May to date which could not be allocated until this closure had taken place.
- 1.11 Neighbourhood Plan, the degree of support for the Neighbourhood Plan has progress reached a crescendo. The team are doing a superb job and progress is made on a regular basis. The Scoping Report was sent out for consultation with statutory bodies recently. Additional funds have been applied for by way of a grant to enable additional technical work to be done due to the complexity of the Seaford Plan.
- 1.12 Other leases and agreements, the large number of leases that are under review have progressed and some should be finalised in the next couple of weeks. These include The Crypt, The Old Town Hall, the Community Garden in The Crouch and Seaford Head Nature Reserve.
- 1.13 Land sale at The Holt, following information received by the office a lot of time has been expended by Geoff Johnson to determine if there were any legal restrictions on the land at The Holt that could affect its sale despite no such restriction being registered at the Land Registry. It has recently emerged that there are no such restrictions and the land will therefore be offered for sale through local estate agents imminently.
- 1.14 The View developments, support continues with The View, though this is reducing as Craig Nicol settles in and continues to deliver. Work will be undertaken on the Business Plan, Marketing Strategy and potential planning applications that could be made to improve matters P. 3 View. A meeting will be held on 12th May to

discuss possibilities with Officers from the South Downs National Park Authority as well as Lewes District Council. The outcome of these investigations will be reported back to Council as soon as is practical.

- 1.15 Unfortunately following the meeting with the Committee of Seaford Head Golf Club the club has turned down the opportunity to partly fund a spike bar log cabin at the venue. Options will continue to be investigated before a report is presented to Council on proposals for developments at The View.
- As well as The Shoal opening event the team have also supported **two other events** over the past couple of weeks; the Premier Football event at The Salts, which was a great success and good first effort ready for building up into a bigger event next year, has resulted in a football show filming at Seaford seafront this week. The team also supported the second and third fortnightly market, the third one being held on Friday 12th May. Well done to all the events team.
- 1.17 Prior to The Shoal opening event a seafront clearing event was organised by local volunteer Sylvia Dunn, thank you Sylvia, at which sixteen volunteers attended and worked very hard for a Saturday morning, including Councillors Adeniji, Boorman and Wearmouth. Many thanks to these three and the other willing volunteers as well as to Dom at Frankie's Kiosk who gave all the volunteers a free drink for their efforts.
- 1.18 Following on from this and after recently encountering difficulties in securing volunteers for carrying out some tasks on behalf of the Council a schedule of all potential voluntary tasks is being developed. This will be circulated to all Councillors to enable Councillors to volunteer for certain chosen tasks as and when they arise. It will subsequently be offered to local volunteers to provide voluntary support also.
- 1.19 Seaford Coat of Arms registration, following on from the voluntary work as reported to the April Council meeting of Councillors Latham, Burfield and White the application to register the Coat of Arms has been completed and submitted by Councillor Latham. A period of two months must pass before this can be ratified and formally registered, giving the crest legal protection in favour of the Town Council. Many thanks to the three Councillors concerned for their diligent work on this matter.
- 1.20 Election for casual vacancy, as recently circulated to Councillors an election has been demanded for the filling of the Casual Vacancy on the Council, this will take place on 6th July 2017.
- Finally, on a lighter note the recent Mayor's charity quiz was a great success and a certain team including two members of staff "won" the actual quiz but lost overall due to poor dancing skills, there is a first time for everything as they say. Well done to everyone who organised what was a very enjoyable event, also well done to all the teams and the eventual winners.

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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Report 06/17

Agenda Item No:

5

Committee:

Council

Date:

18th May 2017

Title:

Standing Orders

By:

James Corrigan, Town Clerk

Purpose of Report:

To review the Council's Standing Orders

Recommendations

You are recommended:

1. To adopt the amended Standing Orders as presented.

1. Information

- 1.1 Attached at Appendix A are the Standing Orders as adopted by the Council in May 2016, with draft amendments that are recommended for adoption.
- 1.2 It should be noted that these Standing Orders are based on the National Association of Local Council Model Standing Orders which are designed to cover all local Councils from the smallest parish with a budget of £1,000 or even less up to the largest Town Council with a budget of over £2,800,000. Seaford Town Council is now in the group of the largest local councils in the country in terms of budget at in excess of £1,800,000, on this basis it is probably the biggest local council in the South East. It is inevitable that all Councils will have to amend the Model Standing Orders to meet its needs, this is even more so where the Council is at the extreme end of the scale as is Seaford Town Council.
- 1.3 The majority of the proposed changes are suggested to reflect actual practice or to take into account other adopted policies such as the Financial Regulations or the various personnel policies for example.
- 1.4 The changes in section 1 are to reflect that most items on the agenda are reports which then results in recommendations rather than motions. The use of motions is the main or sole way to deal with business at smaller authorities were no reports are produced on matters on the agenda, just a motion.
- 1.5 The changes to section 3 remove the differentiation between Council, Committees and Sub-Committees, as some of this is inaccurate and the rest does not reflect practice and overcomplicates matters. The sections covered by the Council's Public Participation Policy are removed as this duplicates the policy.
- 1.6 Section 14 is amended to reflect current practice which accords with arrangements with the Monitoring Officer.



- 1.7 Section 15 b xiii is moved to the Responsible Finance Officer, section 16. Section 15 b xiv is deleted as it is duplicating work that the minutes of meetings and the planning portal provide publicly.
- 1.8 Section 18 d and e are removed as they duplicate and or are dealt with by the Financial Regulations.

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

Report 06/17 Appendix A



Standing Orders

Adopted Review 12th May 201618th May 2017 May 20187

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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.
- Motions-Reports, recommendations and 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 <u>recommendation or motion</u> (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 <u>recommendation or motion</u>. It shall not negate the motion.
- h If an amendment to the original <u>recommendation or</u> 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.
- 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.
- 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:
 - to speak on an amendment moved by another Councillor;
 - to move or speak on another amendment if the motion has been amended since he last spoke;
 - ili. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- 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.

- v 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.
- w 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

Commented [GR1]: Removed as Standing Orders at section 3 apply to all meetings; Council, Committees & Sub-Committees.

- 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.

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- e Members of the public may, if they are present, 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, subject to the Council's Public Participation policy.
- 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.

Commented [GR2]: All contained within the Council's Public Participation Policy.

- 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.
- 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. All such recordings must take place from the designated location and must not interfere with the proceedings. Recordists must remain seated and cannot move around the room.
- mg_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.
- Ah Subject to Standing Orders 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).
- ei_ 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.

- 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.
- 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 Orders 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.
- Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave 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.
 - sm The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - the names of Councillors present and absent, noting those that have given apploales;
 - 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.
 - tn_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.
 - Ho No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council or Committee 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.
- 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.
 - wg_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 as a voting ex-officio member. 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;
 - shall, subject to Standing Orders 4(b) and (c) above, appoint and determine the terms of office of members of such a Committee;
 - v. may, subject to Standing Orders 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;
 - 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;
 - 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

- 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:
 - 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;

- ii. Receipt of the minutes of the last meeting of a Committee;
- iv. Consideration of the recommendations made by a Committee;

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- vi.v. Appointment of members to existing Committees;
- vii.vi. Appointment of any new Committees in accordance with Standing Order 4 above:
- viii. 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;
- ix.vii. Review of representation on or work with external bodies and arrangements for reporting back;
- x.-viii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xi.ix. Review of inventory of land and assets including buildings and office equipment;
- xii.x. Confirmation of arrangements for insurance cover in respect of all insured risks;
- xiii.xi. Review of the Council's and/or staff Subscriptions to other bodies.

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.
- 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 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.
- Such request to be received by the Proper Officer within seven days of the decision having been made.

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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

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

- 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.
- 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.
- 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.
- 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.
- 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.

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- h Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- 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;
 - to extend the time limits for speaking;
 - 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;
 - 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.
- 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(ot) 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.
- 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.
- 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:
 - 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;
 - 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 Orders 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:
 - 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

- Upon notification by the District that it is dealing with has deemed a complaint worthy of investigation 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:
 - provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - 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:
 - 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;
 - 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 <u>Destruction-Document Retention Policy</u>;
 - 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;
 - 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 the Planning Committee;

Commented [GR3]: Moved to Responsible Finance Officer (Standing Order 16)

Commented [GR4]: Record is in the minutes of the meetings; not efficient/necessary use of officer time to duplicate this task.

manage access to information about the Council via the publication XVI.XIV. scheme; and

retain custody of the seal of the Council which shall not be used without a xvii.xv. resolution to that effect.

See also Standing Order 22 below.

Responsible Financial Officer

The Council shall appoint an appropriate Member of staff as the Responsible Formatted: Font: Bold Financial Officer

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

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Accounts and accounting statements

- "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils - a Practitioners' Guide (England).
- All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.
- The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year-at each scheduled Finance & General Purposes Committee meeting, or on request, a statement to summarise:
 - the Council's receipts and payments for each quarter; i.
 - the Council's aggregate receipts and payments for the year to date: ii.
 - the balances held at the end of the guarter being reported

and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - each Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and
 - 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.

The year end 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 or as soon as possible. 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

- 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:
 - the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - 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
 - 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.
- 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) belowin accordance with the Council's Financial Regulations.
- 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;
 - the invitation to tender shall be advertised on the Council's website, 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;

- 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.

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 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 Council's sickness absence in accordance with Council Policy.
- 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 Council's 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 Unless authorised in advance by the Town Clerk, only Managers with line management responsibilities shall have access to staff records referred to in Standing Orders 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 Orders 19(f) and (g) above shall be provided only to employees or Councillors who are fulfilling a delegated or Council authorised function.

Commented [GR5]: Contained in the Council's Financial

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

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 and Communications Strategy.

22 Execution and sealing of legal deeds

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

- A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 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

- 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.
- 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

- Unless authorised by a resolution, no Councillor shall:
 - 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 to any member of staff or contractor carrying out work on behalf of the Council.

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 Orders, 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 Orders 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.



Report 07/17

Agenda Item No:

6

Committee:

Council

Date:

18th May 2017

Title:

Scheme of Delegation

By:

James Corrigan, Town Clerk

Purpose of Report:

To review the Council's Scheme of Delegation.

Recommendations

You are recommended:

1. To adopt the amended Scheme of Delegation as presented.

1. Information

- 1.1 The Council's Scheme of Delegation is a policy document determining the delegation arrangements to the Council's standing Committees, Sub-Committee and Officers, where necessary. Without these delegation arrangements, even the simplest of tasks such as ordering stationery could not be carried out without approval at a Council meeting.
- 1.2 Attached at Appendix A is the Scheme of Delegation as adopted by the Council at its meeting on 12th May 2016. Included on this version are draft amendments that are recommended for adoption.
- 1.3 The purpose of these amendments is to reflect current practice and improve the accuracy of the wording, such as the changes at 2.5, 2.5.2, 2.5.4, 3.1.20 and 3.1.24. 3.4 represents a change to the job title of the Manager at The View. The addition of 2.1.2 allows a Committee to co-opt non-councillors onto a Working Party to bring in external expertise where deemed to be advantageous, this reflects some current practice.
- 1.4 Paragraph 2.6.3. enables the Personnel Committee to amend the staff structure without affecting the overall budget to meet the business needs of the Council.
- 1.5 Similarly paragraphs 3.1.19, 20 and 22 enable the Town clerk to make personnel changes to meet the business needs of the Council. These changes become increasingly essential as the Council personnel numbers increase.
- 1.6 It is worth noting that mechanisms are now in place to report the majority of delegated decisions to the Council in one form or another. This system was introduced in 2015, prior to that there were no open means of reporting back in actions. So for example the Council approves all Committee minutes, all six managers produce regular reports advising the relevant Committee or Council meeting of any significant actions they have taken since the last meeting, many items are also circulated a p. 27 of information to all Councillors outside of the meeting structure by way of emails also.



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



Report 07/17 Appendix A

Scheme of Delegation

The Council scheme of delegation is an essential policy to enable the Council to function efficiently and effectively. Without this every decision would have to be taken by the Full Council. Decision making powers are given to both Committees and officers to enable the Council to react to circumstances and operate effectively.

Powers cannot be legally delegated to individual Councillors or Working Parties.

Working parties are ordinarily established to investigate and or review a particular matter then report back to the relevant committee or Council with its findings which may include recommendations.

1 Council Functions

The following matters are to be dealt with by the Full Council:

- 1.1 Approval of Budget and setting the Precept.
- 1.2 Approval of the Annual Return and Audit of Accounts.
- 1.3 Authorisation of borrowing.
- 1.4 Adopting or changing all policies including Standing Orders, Financial Regulations and the Scheme of Delegation.
- 1.5 Making of Orders under any statutory powers.
- 1.6 Making, amending or revoking By-laws.
- 1.7 Appointment of Standing Committees.
- 1.8 Appointing Council representatives to outside bodies.
- 1.9 All other matters which must, by law, be reserved to the Full Council.

2 Delegation to Committees

The following matters are delegated to the Council's Committees to make decisions on behalf of the Council. Committees are delegated plenary decision making powers in respect of matters delegated. They must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.

Committees may decide not to exercise delegated responsibilities and may instead make a recommendation to the Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Council.

2.1 All Committees

2.1.1 Creation and Appointment to Working Groups.

2.1.2 Appointment of non-Councillor members to Working Groups where they bring additional expertise or knowledge, subject to confidentiality arrangements consistent with those required of Councillors.

Adopted: 12th May 201618th May 2017 Review: May 2017May 2018

2.2 Finance & General Purposes Committee

All matters (except for creating Council Policy) relating to;

- **2.2.1** Review of budget position.
- **2.2.2** Consideration of annual budget request of all standing Committees for recommendation to Council.
- **2.2.3** Approval and award of grants and donations.
- 2.2.4 Considering and agreeing action to all Internal Audit reports.
- 2.2.5 Approval of Risk management strategy.
- 2.2.6 Civic & ceremonial activities.
- 2.2.7 Electoral matters.
- **2.2.8** Checking annual review of salaries is in order.

2.3 Community Services Committee

All matters (except for creating Council Policy) relating to;

- 2.3.1 Salts Recreation Ground.
- 2.3.2 Crouch Gardens & Recreation Ground.
- 2.3.3 Martello Fields.
- 2.3.4 Martello Tower.
- 2.3.5 Allotments.
- 2.3.6 Seafront & beach, including beach huts.
- 2.3.7 Seaford Head Estate (excluding Seaford Head Golf Course and The View).
- 2.3.8 Crypt & 23 Church Street.
- 2.3.9 Old Town Hall.
- 2.3.10 Public toilets.
- 2.3.11 37 Church Street.
- 2.3.12 Hurdis House.
- 2.3.13 CCTV.
- 2.3.14 Other open spaces.
- **2.3.15** Seating, dog & litter bins.
- 2.3.16 Events.
- **2.3.17** Community support.
- 2.3.18 Tree Wardens.
- 2.3.19 Bus shelters.
- 2.3.20 Street lighting.
- 2.3.21 Spend within the Community Services Budget (including the Planning & Highways cost centre)

Adopted: 12th May 201618th May 2017 Review: May 2017May 2018

2.4 Planning & Highways Committee

All matters (except for creating Council Policy) relating to;

- **2.4.1** Planning applications.
- 2.4.2 Tree works applications.
- **2.4.3** Highways & traffic matters.
- **2.4.4** Street naming.
- 2.4.5 Local and regional plans.
- **2.4.5**2.4.6 All other planning or highway matters the Town Council is consulted on.

2.5 Golf & The View Committee

All matters (except for creating Council Policy) relating to;

- 2.5.1 Seaford Head Golf Course.
- **2.5.2** The View at Seaford Head Golf Course.
- 2.5.3 Reviewing and approving policies of Seaford Head Golf Club.
- 2.5.4 Spend within the Golf & The View Budget

2.6 Personnel Committee

All matters (except for creating Council Policy) relating to;

- **2.6.1** All personnel matters not delegated to officers.
- 2.6.2 Authorise or not all incremental pay rises following staff appraisals
- 2.6.22.6.3 Amending staff structure to reflect the Council's performance needs so long as within budget. Any changes requiring additional budget require Council approval.

2.7 Grievance/Disciplinary Sub-Committee

All matters (except for creating Council Policy) relating to;

- **2.7.1** Consider and resolve all staff grievances in accordance with Grievance Policy.
- 2.7.2 Consider and deal with all staff disciplinary matters in accordance with Disciplinary policy.

2.8 Appeals Committee

2.8 Note; the committee cannot consider an appeal against a decision taken by the Full Council

All matters (except for creating Council Policy) relating to;

- **2.8.1** Consider and resolve all staff appeals concerning grievance or disciplinary matters.
- **2.8.2** Consider and resolve all Freedom of Information Act appeals.
- 2.8.3 Consider and resolve appeals to decisions relating to a complaint.
- **2.8.4** Consider all appeals against decisions where this is available within a policy.

Adopted: 12th May 201618th May 2017

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2.8.5 Note; the committee cannot consider an appeal against a decision taken at a Town Council meeting.

3 Delegation to Officers

The following matters are delegated to the Council's Officers to make decisions on behalf of the Council. These decisions must be exercised in accordance with the law, the Council's Standing Orders and Financial Regulations and any approved policy framework and budget.

The Council may at any time, following resolution, revoke any delegated authority.

Officers may decide not to exercise delegated responsibilities and may instead make a recommendation to a Committee or the Council. Similarly where Officers have no delegated power to make a decision they report the matter to Committee or the Council for a decision.

3.1 Town Clerk

The Town Clerk shall be the Proper Officer and the Responsible Financial Officer of the Council as defined in law.

In addition;

- **3.1.1** Issue all statutory notifications.
- 3.1.2 Receive Declarations of Acceptance of Office.
- **3.1.3** Receive and record notices disclosing pecuniary interests.
- **3.1.4** Receive and retain documents and plans.
- 3.1.5 Hold the Council's Seal and apply it to documents as approved.
- 3.1.6 Sign notices or other documents on behalf of the Council.
- 3.1.7 Receive copies of By-laws made by principal authority.
- 3.1.8 Certify copies of By-laws made by the Council.
- **3.1.9** Sign summons to attend meetings.
- 3.1.10 Ensure compliance with Standing Orders and Financial Regulations.
- 3.1.11 Manage all Town Council staff, either directly or indirectly.
- 3.1.12 Manage the provision of Council services, buildings, land and resources.
- 3.1.13 Incur expenditure in an emergency up to £5,000 whether budgeted or not.
- **3.1.14** Act on behalf of the Council in an urgent situation and report back to the Council as soon as practical.
- 3.1.15 Deal with dispensation requests from Members under the Code of Conduct.
- **3.1.16** Deal with matters specifically delegated by Council or Committee.
- 3.1.17 Take all decisions relating to the training of Councillors & staff.
- 3.1.18 Appoint all employees in accordance with the Council's staff structure.
- <u>3.1.19</u> Authorise minor <u>non-fiscal</u> adjustments to contracts of employment <u>and job</u> descriptions to meet the needs of the Council.
- 3.1.193.1.20 Appoint casual / temporary members of staff as needed to meet the business needs of the Council and within existing budgets.

Adopted: 12th May 2016 18th May 2017 Review: May 2017 May 2018

- 3.1.21 Deal with all disciplinary matters and hearings in accordance with the Council's Disciplinary Policy.
- 3.1.203.1.22 Enter into settlement agreements with employees up to a maximum of two months' salary where this is the prudent option for the Council.
- 3.1.213.1.23 Responsible for the overall management of all budgets in accordance with Council policies.
- 3.1.223.1.24 Authorised to issue press releases on any Council activity exercised in accordance with Council policy.
- 3.1.233.1.25 Overall responsibility for Health & Safety across all Council owned sites.
- 3.1.243.1.26 Considering Determining requests for refund or credit of golf membership fees subject to written proof of ill health being received.

3.2 Support Services Manager

- **3.2.1** Proper administration of the Council's financial affairs.
- **3.2.2** Determine accounting policies, records and control systems.
- 3.2.3 Report to External Auditor matters under Local Government Finance Act 1988 s114.
- 3.2.4 Arrange and manage the Council's insurance arrangements.
- **3.2.5** Management of Council salaries in accordance with contracts of employment.
- 3.2.6 Day to day management of all employees within section.
- **3.2.7** Matters specifically delegated by Council or Committee.

3.3 Projects & Facilities Manager

- 3.3.1 Day to day management of land, buildings and other resources.
- **3.3.2** Project development for consideration by relevant Committee.
- 3.3.3 Management of maintenance contracts.
- **3.3.4** Day to day management of all employees within section.
- **3.3.5** Matters specifically delegated by Council or Committee.
- **3.3.6** Developing income generating activities.
- **3.3.7** Responsible for the management of the Community Services budget in accordance with Council Policy.

3.4 Restaurant & BarGeneral Manager - The View at Seaford Head

- **3.4.1** Day to day management of The View.
- **3.4.2** Management of the maintenance of the facility, including the car park.
- 3.4.3 Day to day management of all employees within section.
- **3.4.4** Appointment of all employees within structure.
- 3.4.5 Appointment of temporary and casual employees where a business case can be demonstrated.

Adopted: 12th May 201618th May 2017 Review: May 2017May 2018

- **3.4.6** Developing income generating activities.
- 3.4.7 Matters specifically delegated by Council or Committee.
- 3.4.8 Responsible for the management of The View budget in accordance with Council policy.

3.5 Golf Professional (non-employee service contract)

- 3.5.1 Day to day management of the Golf Course.
- 3.5.2 Management of the maintenance of the Course.
- 3.5.3 Day to day management of all employees within section.
- 3.5.4 Authorising licensed vermin control shooters on course up to a maximum of four.
- **3.5.5** Developing income generating activities.
- **3.5.6** Matters specifically delegated by Council or Committee.
- 3.5.7 Responsible for the management of the Golf Course budget in accordance with Council Policy.

Adopted: 12th May 201618th May 2017

6 Review: May 2017 May 2018 P.34



Report 08/17

Agenda Item No:

7

Committee:

Council

Date:

18th May 2017

Title:

Document Retention Policy

By:

James Corrigan, Town Clerk

Purpose of Report:

To adopt the draft Document Retention Policy as presented.

Recommendations

You are recommended:

1. To adopt the Document Retention Policy as presented.

1. Information

- 1.1 To date the Council is yet to have an adopted Document Retention Policy.
- 1.2 A draft policy is attached at Appendix A, which has been written in accordance with the National Association of Local Council's Legal Topic Note of Local Council's Documents and Records (Legal Topic Note 40).
- The policy reflects that which is currently done by the Council with regards to the retention and disposal of documents, both electronic and paper copies. It is however recommended that a Council has its own adopted policy.
- While working hard to ensure unnecessary documents are not stored needlessly or out of habit, all Council employees will receive a copy of this policy and short training on documents within their areas that must be retained and the retention period.
 - Any councillor wishing to dispose of any Council documents in encouraged to do so at the Council offices; confidential documents will be disposed of accordingly and standard documents, recycled.

2. Financial Appraisal

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

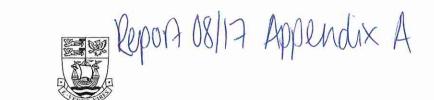
3. Contact Officer

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

Town Clerk



P.35



Document Retention Policy

Seaford Town Council

1. Introduction

The purpose of this document is to provide a corporate policy framework to ensure that particular documents (or sets of documents) are dealt with in the correct manner; being retained and/or disposed of in the correct method and timescale.

This policy gives the Council a system for the management of paper and electronic records. The Town Clerk is responsible for ensuring all Council documents are managed accordingly.

This policy is based on the National Association of Local Council's Legal Topic Note on Local Council's Documents and Records (legal topic note 40), therefore legal requirements and recommended practice within the sector.

Where the policy refers to 'documents' this includes both paper and electronic copies.

2. Retention of Documents

Certain important documents must be retained for clear reasons such as audit purposes, staff management, tax liabilities and the eventuality of legal disputes and legal proceedings.

Subject to the above reasons for retaining documents, papers and records may be destroyed if they are no longer of use or relevant. If there is any doubt, the document will be retained until proper advice has been sought.

Attached at Appendix A to this policy is the appropriate minimum document retention periods.

3. Retention of Documents for Legal Purposes

Most legal proceedings are governed by the Limitation Act 1980 (as amended). This Act provides that legal claims may not be commenced after a specified period. The specified period varies, depending on the type of claim in question. The table below sets out the limitation periods for the different categories of claim. The reference to 'category' in the table refers to claims brought in respect of that category.

Category	Limitation Period
Negligence (and other 'Torts')	6 years
Defamation	1 year
Contract	6 years
Leases	12 years
Sums recoverable by statute	6 years
Personal Injury	3 years
To Recover Land	12 years
Rent	6 years
Breach of Trust	None

It should be noted that some limitation periods can be extended. Examples include:

- Where individuals do not become aware of damage until a later date (eg in the case of disease)
- Where damage is hidden (eg to a building)

- · Where a person is a child or suffers from a mental capacity
- · Where there has been a mistake by both parties
- · Where one party has defrauded another or concealed facts.

Where the limitation periods above are longer than other periods specified in this policy, the documentation should be kept for the longer period specified. Some types of legal proceedings may fall within two or more categories; in this instance, the longer period will be observed.

In such circumstances the Town Clerk will consider (i) the costs of storing relevant documents and (ii) the risks of:

- · Claims being made;
- . The value of the claims; and
- The inability to defend any claims made should relevant documentation be destroyed.

4. Disposal

All Council documents will be handled in the correct manner for their sensitivity.

As per the Council's Data Protection Policy and the Data Protection Act 1998, any document which contains data on an individual/s or personal data will be disposed of confidentially via the confidential waste bin service within the Council offices.

In an effort to maintain the organisation and efficiency of the workplace and reduce the volume of printing carried out, Council Officers are committed to printing only those documents necessary to have in hard copy and disposing of those which are not necessary to be kept.

Any Councillors wishing to dispose of paper copies of confidential Council documentation will do so via the Council's confidential waste service.

5. Responsibility

The Town Clerk holds responsibility for ensuring all Council employees are aware of and adhering to the Document Retention Policy, in particular the retention of the documents at Appendix A to the policy.

Adopted: May 2017

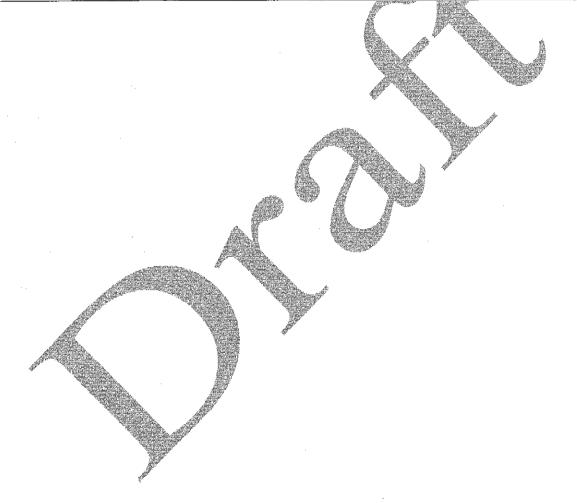
Review: May 2020 (or as legislation/recommended practice changes)

APPENDIX A - Document Retention Policy

CORPORATE		
Document	Minimum Retention Period	Reason
Minute Books (Council, Committees & Sub-Committees)	Indefinite	Archive
Scales of fees and charges	6 years	Management
Receipt and payments account (s)	Indefinite	Archive
Receipt books of all kinds	6 years	VAT
Bank statements, including	Last completed audit year	Audit
deposit/savings accounts		
Bank paying-in books	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Quotations and tenders	6 years	Limitation Act 1980 (as amended)
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980 (as amended)
VAT records	6 years generally but 20 years	VAT
	for VAT on rents	th. Company Company
Petty cash, postage and telephone	6 years	Tax, VAT, Limitation
books		Act 1980 (as amended)
Timesheets	3 years	Personal injury
Wages book	12 years	Superannuation
Insurance policies	While valid	Management
Certificates for Insurance against	40 years from date of which	The Employer's
liability for employees	insurance commenced or was	Liability (Compulsory
	renewed	Insurance) Regulations
		1998 (SI.2753),
And the state of t	The state of the s	Management
Investments	Indefinite	Audit, Management
Title deeds, leases, agreements, contracts	Indefinite	Audit, Management
Members allowances register (not	6 years	Tax, Limitation Act
currently applicable to Seaford Town		1980 (as amended)
Council)		
Personal data of employees	6 years after employment terminates	Recommended practice
Recruitment paperwork	1 year for all except successful candidate	Recommended practice
Accident books/reports	3 years or if a child/young	RIDDOR
	adult, until that person reaches the age of 21	(SI.1995/3163)
Statutory maternity, paternity and	3 years after the end of the	Maternity and Parental
adoption pay records and evidence	tax year in which the pay period ends	Leave etc Regulations 1999
Formal complaints made under the	6 years	Management
Council's Complaints procedure		
Freedom of Information Requests received	6 years	Management

Adopted Council Policy Documents	Indefinite (archive after superseded)	Management
Press releases/publications	Indefinite (electronically)	Management

SERVICES (where applicable)		
Document	Minimum Retention Period	Reason
For Halls, Centre, Recreation	6 years	VAT
Grounds:		
Application to hire		
Lettings diaries		
Copies of bills to hires		
Record of tickets issued		
For Allotments: register & plans	Indefinite	Audit, Management





Report 09/17

Agenda Item No:

8

Committee:

Council

Date:

18th May 2017

Title:

Final Meeting Attendance Record 2016-2017

By:

James Corrigan, Town Clerk

Purpose of Report:

To present the meeting attendance record for the 2016-2017

Municipal Year.

Recommendations

You are recommended:

1. To note the contents of the report.

1. Information

- 1.1 Last year was the first time the Council has received a report on the meeting attendance record of councillors for the Municipal Year.
- 1.2 The record has been kept updated for the 2016-2017 Municipal Year and is attached at Appendix A.
- 1.3 Please note that speculative figures have been put in for the Planning & Highways Committee meeting to be held on 11th May; if there are any changes these will be made and an amended version of the record issued.
- 1.4 The overall attendance figure as it stands is 85%; this is only 1% down on the 2015-2016 year, which is a good achievement given that two councillors had considerable absence due to ill health during the 2016-2017 year.
- 1.5 Attendance at meetings, while vital to the running of the Council, is one of many responsibilities of being a Town Councillor, so should not be used alone to reflect a councillor's level of activity or involvement with the Council and the town.

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



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Report 09/17 Appendix A

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