



Seaford Town Council

Seaford Town Council Full Council Agenda – 12th May 2022

To the Members of the Full Council

Councillors S Adeniji, N Adil, D Argent, L Boorman, M Brown, J Cash, S Dunn, J Edson, M Everden, MA Hayder, R Hayder, O Honeyman, R Honeyman, J Lord, J Meek, B Payne, R Reed, G Rutland, L Wallraven and B Webb.

A meeting of the **Full Council** will be held at **The View at Seaford Head**, Southdown Road, Seaford, BN25 4JS on **Thursday, 12th May 2022** immediately following the Annual Meeting, which you are summoned to attend.

Adam Chugg, Town Clerk

29th April 2022

PLEASE NOTE:

- **Public attendance at this meeting will be limited to 28 people.**
- **The meeting will also be recorded and uploaded to the Town Council's YouTube channel shortly after the meeting.**
- **See the end of the agenda for further details of public access and participation.**

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 relevant legislation and Seaford Town Council Policy.

4. Town Council Working Group Reports

A standard agenda item to accommodate reports from active Town Council Working Groups. *N.B. There are no working group reports for this meeting.*

5. Outside Body Representative Reports

There will be no representatives reports for this meeting, as representatives submitted written reports for the Annual Meeting agenda (held immediately before this meeting), which is also the meeting at which representative appointments are agreed.

6. District & County Councillor Update Report

To give an opportunity for an update from councillors at a District or County level on business and activities that effect Seaford and the local area.

7. [Town Clerk's Update Report – May 2022](#)

To consider report 10/22 updating Full Council on key Town Council work and work priorities for the Town Clerk (additional pages 71 to 76).

8. [Standing Orders Review](#)

To consider report 01/22 presenting the review of the Town Council's Standing Orders (pages 5 to 32).

9. [Scheme of Delegation Review](#)

To consider report 02/22 presenting revisions to the Town Council's Scheme of Delegation for adoption (pages 33 to 55).

10. [Co-option Policy](#)

To consider report 06/22 presenting a draft Co-option Policy for adoption (pages 56 to 67).

11. [2022 – 2023 Meeting Timetable](#)

To consider report 05/22 presenting the final draft 2022 – 2023 meeting timetable for approval (pages 68 to 70).

12. [Insurance Update](#)

To consider report 08/22 presenting an update on the Town Council's insurance arrangements (additional pages 77 to 78).

13. [NALC Survey – Direct Funding for Local Councils](#)

To consider report 11/22 seeking Full Council's comments on a survey being run by the National Association of Local Councils on direct funding for local councils from central government (additional pages 79 to 91).

AGENDA NOTES

For further information about items on this Agenda please contact:

Adam Chugg, Town Clerk, 37 Church Street, Seaford, East Sussex, BN25 1HG

Email: admin@seafordtowncouncil.gov.uk

Telephone: 01323 894 870

Circulation:

All Town Councillors, Young Mayor, Deputy Young Mayor and registered email recipients.

Public Access:

Members of the public looking to access this meeting will be able to do so by:

1. Attending the meeting in person.

Due to health and safety restrictions, the number of public in attendance will be limited to 28. The Town Council therefore asks that you contact

admin@seafordtowncouncil.gov.uk or 01323 894 870 to register your interest in attending at least 24 hours before the meeting.

Spaces will be assigned on a first come, first served basis.

Please note that if you don't register and just attempt to turn up at the meeting, this could result in you not being able to attend if there is no space.

OR

2. Watching the recording of the meeting on the [Town Council's YouTube channel](#) , which will be uploaded after the meeting has taken place.

Public Access to the Venue:

If you are attending the meeting in person, please arrive for 6.55pm where you will be shown into the meeting for a 7.00pm start.

Public Participation:

Members of the public looking to participate in the public participation section of the meeting must do so in person, by making a verbal statement during the public participation section of the meeting.

Below are some key points for public participation in the meeting:

1. Your statement should be regarding business on the agenda for that meeting.
2. You will only be able to speak at a certain point of the meeting; the Chair of the meeting will indicate when this is.
3. You do not have to state your name if you don't want to.

ORDINARY MEETING

4. If you are unsure of when best to speak, either query this with an officer/councillor ahead of the meeting or raise your hand during the public participation item of the meeting and ask the Chair – they will always be happy to advise.
5. When the Chair has indicated that it is the part of the meeting that allows public participation, raise your hand and the Chair will invite you to speak in order.
6. Statements by members of the public are limited to four minutes and you don't automatically have the right to reply. The Chair may have to cut you short if you overrun on time or try to speak out of turn – this is just to ensure the meeting stays on track.
7. Where required, the Town Council will try to provide a response to your statement but if it is unable to do so at the meeting, may respond in writing following the meeting.
8. Members of the public should not speak at other points of the meeting.
9. A summarised version of your statement, but no personal details, will be recorded in the minutes of the meeting.

Public Comments

Members of the public looking to submit comments on any item of business on the agenda can do so in writing ahead of the meeting and this will be circulated to all committee members. Comments can be submitted by email to admin@seafordtowncouncil.gov.uk or by post to the Town Council offices.

Health & Safety Measures:

While Covid restrictions are no longer mandated the Town Council wishes to stay vigilant and mindful of the health and safety of its meeting participants by continuing to observe the following:

1. Do not attend the meeting if you are displaying any Covid-19 symptoms; a high temperature, a new continuous cough or a loss or change to your sense of smell or taste (source NHS website).
2. The Town Council would encourage anyone attending the meeting in person to have carried out a rapid lateral flow coronavirus test before attending. These are tests taken at home, giving you an instant result, and ordered for free from the Gov.uk website or by calling 119 (open 7am to 11pm, calls are free).
3. If you test positive, please do not attend the meeting; you are advised to self-isolate immediately for a minimum of five days.
4. You are encouraged to wear a mask at the meeting if you are comfortable doing so.



Seaford Town Council

Report No:	01/22
Agenda Item No:	8
Committee:	Full Council
Date:	12th May 2022 – Ordinary Meeting
Title:	Standing Orders Review
By:	Adam Chugg, Town Clerk
Purpose of Report:	To present the review of the Town Council's Standing Orders.

Recommendations

Full Council is recommended:

1. To adopt the Standing Orders as presented with report 01/22.

1. Information

- 1.1** As a core part of a local council's governance documents, it is considered best practice that local councils review their Standing Orders annually.
- 1.2** The Town Council conducted a detailed review of its Standing Orders in August 2021, introducing a number of amendments following an in depth review process by councillors and officers.
- 1.3** If councillors wish to remind themselves of the amendments discussed and subsequently adopted, the details can be found on the [Town Council website's meetings page](#) (25th August 2021, Full Council meeting).
- 1.4** At that meeting, it was explained that the Standing Orders would be reviewed again in May 2022 in order to keep the annual review frequency at the most appropriate time of the year.
- 1.5** The Town Council's Standing Orders have been reviewed by officers and a number of further changes are being recommended, largely as a result of a recent training session attended by some Councillors and officers on Chairmanship Skills:

- (a) **3(m)**, page 7 - has been amended to reflect that a Councillor is able to request a recorded vote of their own vote, rather than all participants, should they wish to.
 - (b) **3(p)**, page 8 – provides greater clarity around meeting quorum and the impact of a Councillor exiting the meeting for discussion/the vote on an item where they have declared an interest.
 - (c) **4(g)**, page 9 – provides greater clarity around Councillors that attend meetings as a non-Committee member and not in a substitute capacity. Custom and practice is that, unless they are in attendance as a substitute, non-Committee members leave the meeting for confidential items of business. This is predominantly due to non-Committee members not having had access to the confidential report/s prior to the meeting. Standing Order 4(i) still allows an option for Councillors to request Standing Orders 4(g) or 4(h) be overturned, where there is a clear justification for this.
 - (d) **4(j,v)**, page 10 – it is not unknown for apologies for a meeting to be received on the day of the meeting itself (especially while we remain vigilant about not attending meetings if showing signs of an illness), so this Standing Order has been amended to remove the requirement for apologies/notification of substitutes to be one day before the meeting.
 - (e) **25(b, ix)**, page 23, an additional encouraged responsibility has been added for Councillors to monitor their own attendance levels at Town Council meetings, being mindful that if they are absent for a period of six months they will automatically vacate their office and trigger a casual vacancy. Officers can provide more information to Councillors on this, should it be required, and will, in the interests of the Town Council, monitor attendance and make contact with Councillors where there is a concern that the six month deadline is approaching.
- 1.6** Another amendment made, but not tracked, is increasing the font size of the document to make the document more accessible (and as a result of the font size increase, updating page numbers accordingly).
- 1.7** The Standing Orders recommended for adoption are included at Appendix A.


1.8 As reported in August 2021, it remains officer's intentions to look at the language and tone used throughout the document, to see if this can be simplified and made more user-friendly. Due to workload demands, this was not able to take place for this review but will be scheduled for a future date.

2. Financial Appraisal

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

3. Contact Officer

The Contact Officer for this report is Adam Chugg, Town Clerk.

Town Clerk	
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Seaford Town Council

Standing Orders

Introduction

Standing Orders are the written rules of Seaford Town Council. They are used to confirm the Town Council's internal organisation, administrative procedures, procedural matters for meetings and enable good and effective working relationships between officers and members.

Meetings of Full Council and its Committees, councillors, the Proper Officer and Responsible Financial Officer are subject to many statutory (legal) requirements. The Standing Orders confirm those statutory requirements.

These Standing Orders are based on the national model produced by the National Association of Local Councils (NALC). Standing orders that are within **bold** type contain statutory requirements and it is therefore recommended that councils adopt them without changing them. Other standing orders not in bold are designed to help the Town Council operate effectively but do not contain statutory requirements so they may be drafted or amended to suit the Town Council's needs.

The Town Council has a suite of other policies that may be made mention to in the Standing Orders. The Town Council has its adopted Financial Regulations which regulate and control the financial affairs and accounting procedures of the Town Council.

Adopted	<u>May 2022</u>
Review	<u>May 2023</u>

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Seaford Town Council

Standing Orders

1 Rules of debate at all meetings

- a Councillors shall address the presiding Chair.
- b A Councillor shall indicate that they wish to speak by raising a hand and Councillors shall be heard in the order in which they indicated. If two or more Councillors indicate at once, the presiding Chair shall call upon one of them to speak before the other.
- c Whenever the presiding Chair speaks during a debate all other Councillors shall be silent.
- d These rules apply to Full Council as well as Committee and Sub-Committee meetings.
- e Debate on an agenda item can and usually will take place prior to any motion being made.
- f Reports, and motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- g A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- h A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- i 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.
- j An amendment is a proposal to remove or add words to a recommendation or motion. It shall not negate the motion.
- k If an amendment to the original recommendation or motion is carried, the amended motion becomes the Substantive motion upon which further amendment(s) may be moved.

- l An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.
- m A Councillor may move an amendment to their 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.
- n If there is more than one amendment to an original or Substantive motion, the amendments shall be moved in the order directed by the Chair.
- o Subject to Standing Order 1(p) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- p One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- q A Councillor may not move more than one amendment to an original or Substantive motion.
- r The mover of an amendment has no right of reply at the end of debate on it.
- s 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.
- t Unless permitted by the Chair of the meeting, a Councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another Councillor;
 - ii. to move or speak on another amendment if the motion has been amended since they last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- u With the exception of 1(t) above, the Chair will only allow a Councillor to speak again if the Councillor is introducing new information.
- v 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 they are concerned by.

- w A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- x 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 Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.
- w Excluding motions moved under Standing Order 1(x) 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 Chair 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 Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any Councillor or the Chair 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 Chair 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

- 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 **A minimum of three clear days' notice of Full Council meetings must be given to councillors and the public. The minimum three clear days for notice of a meeting must not include**
 - 1. the day on which notice was issued.
 - 2. the day of the meeting.
 - 3. a Sunday.
 - 4. a day of the Christmas break, a day of the Easter break, a bank holiday or a day appointed for public thanksgiving or mourning.
- c A minimum of three clear days' notice of a Committee or Sub-Committee meeting must be given to councillors and the public. The minimum three clear days for notice of a meeting must not include
 - 1. the day on which notice was issued.
 - 2. the day of the meeting.
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public who are present at meetings during public participation may 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 Town Council's Public Participation policy.
- f A person present at a meeting may not create an oral report or oral commentary (such as, for example, using an audio recorder to record that person's commentary on the meeting, or to take that person's verbal notes of the meeting) about a meeting as it takes place without permission. This is so as to prevent disruption to or confusion at the meeting.
- g **Subject to Standing Order 3 (f), a person attending the meeting is permitted to film, photograph, make an audio recording of the meeting, or other means, in order to enable those not present to see or hear an accurate account of the meeting as it takes/took place or**

later in order to give them an accurate oral or written account of the meeting.

- h 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.
- i Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Town Council may in their absence be done by, to or before the Vice-Chair of the Town Council (if any).
- j The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- k Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or non-Councillors with voting rights present and voting.
- l The Chair 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 their 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 Chair of the Town Council at the Annual Meeting of the Town Council.
- m 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 either, show whether each Councillor present and voting gave their vote for or against that question or show that individual councillors vote for or against that question – it will be up to the councillor requesting the recorded vote to state which record they are requiring. Such a request shall be made before moving on to the next item of business on the agenda.
- n The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of Councillors present and absent, noting those that have given apologies;

- iii. interests that have been declared by Councillors and non-Councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- o **A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Town Council's Code of Conduct in a matter being considered at a meeting is Subject to statutory limitations or restrictions under the Code on their right to participate and vote on that matter.**
 - p **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Full Council or Committee are present in attendance at the meeting (regardless of if they have declared an interest and abstained from voting or exited the meeting for an agenda item) 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.
 - q **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.
 - r A meeting shall not exceed a period of three hours.
 - s In the event that a larger number of people than that which can be accommodated are present for a single item, it must be decided by Full Council (or Committee) on whether to proceed with the item or adjourn or defer the matter for subsequent debate at a larger venue.
 - t All formal meetings of Full Council and its committees must be administered by an appropriate Town Council Officer or, where that is not deemed appropriate, by an officer sourced from another local authority or authorised local government body.

4 Committees, Sub-Committees and Working Groups

- a The Town Council can operate two different types of committee or sub-committee;
 - i. Standing Committees/Sub-Committees, which have ongoing responsibilities concerning the performance of the statutory powers and functions of the Town Council and related work.
 - ii. Advisory Committees/Sub-Committees, which are usually created with short-term responsibilities or where the terms of reference do not fall within those of an existing committee.
- b Reference to a 'Committee' or 'Sub-Committee' within the Standing Orders document refers to both standing and advisory Committees/Sub-committees.
- c **Unless Full Council determines otherwise, a Committee may appoint a Sub-Committee whose terms of reference and members shall be determined by the Committee.**
- d **The members of a Committee may include non-Councillors unless it is a Committee which regulates and controls the finances of the Town Council.**
- e **Unless Full Council determines otherwise, all the members of an advisory Committee and a Sub-Committee of the advisory Committee may be non-Councillors.**
- f Councillors who cannot attend a Committee or Sub-Committee can appoint any Councillor to attend in their absence as a voting ex-officio member (a 'substitute'). The absent Councillor must advise the Town Clerk or Committee Clerk of the nomination.
- g All Councillors who are not members of a Committee (save for those attending as a substitute as per Standing Order 4d above) are entitled to attend the said meeting and participate but not vote and will leave for any confidential items of business.
- h Exempt Committee papers for all Committees and Sub-Committees will be issued to Committee members and any substitutes but not non-Committee or non-Sub-Committee Councillors.

- i Any exception to the 4(g) or 4(h)f above would be determined by the Proper Officer in consultation with Chair of the relevant Committee, but councillors must understand that some matters will be absolutely confidential to the members of the meetings.
- j Full Council may appoint standing Committees or advisory Committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing Committee up until the date of the next annual meeting of Full Council;
 - iii. shall permit a Committee, other than in respect of the ordinary meetings of a Committee, to determine the number and time of its meetings;
 - iv. shall, subject to Standing 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(f) and to (ie) 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 Chair of the standing Committee;
 - vii. shall permit a Committee other than a standing Committee, to appoint its own Chair at the first meeting of the Committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a Committee and a Sub-Committee which shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a Committee;
 - x. shall determine if the public and press are permitted to attend the meetings of a Sub-Committee and also the advance public notice requirements, if any, required for the meetings of a Sub-Committee;
 - xi. shall determine if the public may participate at a meeting of a Sub-Committee that they are permitted to attend; and
 - xii. may dissolve a Committee or Sub-Committee.
- h Full Council or one of its Committees or Sub-Committees may appoint a working group to undertake a specific task.
- i Working groups are not subject to those Standing Orders relating to Committees/Sub-committees. For clarity, working group meetings are not public meetings; there are no notice or minutes requirements and no right for the public to access the meetings.

- i When a working group is established, its parent Committee will determine clearly defined terms of reference, including whether or not the group has the ability to co-opt its own members, whether Councillors or non-Councillors.
- j Working groups will not have any decision-making powers beyond the ability to co-opt their own members, whether Councillors or non-Councillors. A working group will usually report back to its parent Committee, making recommendations for decisions to be made.
- k Working groups are not usually subject to being re-established at each annual meeting (as Committees/Sub-committees are), save for in an ordinary election year where a change in councillors may mean this is required.
- l A working group will dissolve when its terms of reference have been completed or its parent Committee determines the group's work has finished.

5 Ordinary Full Council meetings

- a **In an election year, the annual meeting of the Town 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 the Town Council shall be held on such day in May as the Town Council may direct.**
- c **If no other time is fixed, the annual meeting of the Town Council shall take place at 7pm.**
- d **In addition to the annual meeting of the Town Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Town Council directs.**
- e **The first business conducted at the annual meeting of the Town Council shall be the election of the Chair and Vice-Chair (if any) of the Town Council.**
- f **The Chair of the Town Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Town Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Town Council at the next annual meeting of the Town Council.**

- h **In an election year, if the current Chair of the Town Council has not been re-elected as a member of the Town Council, they shall preside at the meeting until a successor Chair of the Town Council has been elected. The current Chair of the Town Council shall not have an original vote in respect of the election of the new Chair of the Town Council but must give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Town Council has been re-elected as a member of the Town Council, they shall preside at the meeting until a new Chair of the Town Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Town Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chair of the Town Council and Vice-Chair (if any) of the Town Council at the annual meeting of the Town Council, the business of the annual meeting shall include:
 - i. **In an election year, delivery by the Chair of the Town Council and Councillors of their acceptance of office forms unless the Town Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Town Council of their acceptance of office form unless the Town Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of Full Council;
 - iii. Receipt of the minutes of the last meeting of a Committee;
 - iv. Consideration of the recommendations made by a Committee;
 - v. Appointment of members to existing Committees;
 - vi. Appointment of any new Committees in accordance with Standing Order 4 above;
 - vii. Review of representation on or work with external bodies and arrangements for reporting back;
 - viii. In an election year, to make arrangements with a view to the Town Council becoming eligible to exercise the general power of competence in the future;
 - ix. Review of inventory of land and assets including buildings and office equipment;
 - x. Review of the Town Council's and/or staff Subscriptions to other bodies.

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

- a The Chair of the Town Council may convene an extraordinary meeting of Full Council at any time.**
- b If the Chair of the Town Council does not or refuses to call an extraordinary meeting of Full 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 Full Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.**
- c The Chair of a Committee or a Sub-Committee may convene an extraordinary meeting of the Committee or the Sub-Committee at any time.
- d If the Chair 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 two members of the Committee or the Sub-Committee, any two members of the Committee or the Sub-Committee may convene an extraordinary meeting of a Committee or a Sub-Committee.

7 Previous resolutions

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

8 Voting on appointments

- a Where more than two persons have been nominated for a position to be filled by the Town 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 Chair of the meeting.

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

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

- i Motions rejected shall be recorded with an explanation by the Proper Officer for their rejection, which will have been informed to the proposer of the motion.

10 Motions at a meeting that do not require written notice

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

11 Management of Information

See also Standing Order 20.

- a **The Town Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Town Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Town Council's**

retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

- c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d Councillors, staff, the Town Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

12 Draft minutes

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

“The Chair 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 their 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(o) above.

- a All Councillors and non-Councillors with voting rights shall observe the Code of Conduct adopted by the Town Council.
- b Unless they have 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 they have a prejudicial interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- d A decision as to whether to grant a dispensation shall be made by a meeting of Full Council, or Committee or Sub-Committee for which the dispensation is required and that decision is final.
- e A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- f Subject to Standing 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:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or;**
 - ii. **granting the dispensation is in the interests of persons living in the Town Council's area or;**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14 Code of conduct complaints

- a Upon notification by the District that it has deemed a complaint worthy of investigation that a Councillor or non-Councillor with voting rights has breached the Town Council's Code of Conduct, the Proper Officer shall, subject to Standing Order 11 above, report this to Full 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 Chair of the Town Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and Full Council has agreed what action, if any, to take in accordance with Standing Order 14(d) below.
- c The Town Council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d **Upon notification by the District Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, Full Council shall consider what, if any, action to take against them. 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 Town Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
 - i. **At least three clear days before a meeting of Full Council, a Committee or a Sub-Committee,**
 - **Serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillors has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time,**

place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Town Council convened by councillors is signed by them).

- ii. 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/her withdrawal of it;
- iii. **convene a meeting of Full Council for the election of a new Chair of the Town Council, occasioned by a casual vacancy in his/her office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. retain acceptance of office forms from Councillors;
- vii. retain a copy of every Councillor's register of interests;
- viii. assist with responding to requests made under the freedom of information legislation and rights exercisable under data protection legislation, in accordance with and subject to the Town Council's policies and procedures relating to the same;
- ix. receive and send general correspondence and notices on behalf of the Town Council except where there is a resolution to the contrary;
- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Town Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;
See also Standing Order 22 below.
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Town Council in accordance with its Financial Regulations.
- xiii. record every planning application notified to the Town Council and the Town Council's response to the local planning authority in a book for such purpose;
- xiv. refer a planning application received by the Town Council to the Chair or in their absence Vice-Chair (if any) of the Planning & Highways 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 & Highways Committee;
- xv. manage access to information about the Town Council via the publication scheme; and
- xvi. retain custody of the seal of the Town Council which shall not be used without a resolution to that effect.
See also Standing Order 23 below.

16 Responsible Financial Officer

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

17 Accounts and accounting statements

- a “Proper practices” in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide (England).
- b All payments by the Town Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s Financial Regulations.

18 Financial controls and procurement

- a The Town Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Town Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Town Council’s accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- b Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.

19 Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of Full 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 Town Council's sickness absence in accordance with Town Council Policy.
- c The Mayor of the Town Council and the Chair of the Personnel Committee (or Vice-Chair if this is the Mayor) or in their 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 Town 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 Town 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 In accordance with Standing Order 11(a), 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.

20 Responsibilities to Provide Information

See also Standing Order 21.

- a **In accordance with freedom of information legislation, the Town Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Town Council.**
- b **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21 Responsibilities Under Data Protection Legislation

(Below is not an exclusive list).

See also Standing Order 11.

- a **The Town Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**
- b **The Town Council shall have a written policy in place for responding to and managing a personal data breach.**
- c **The Town Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- d **The Town Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- e **The Town Council shall maintain a written record of its processing activities.**

22 Relations with the press/media

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

23 Execution and sealing of legal deeds

See also Standing Orders 15(b)(xii) and (xv) above.

- a A legal deed shall not be executed on behalf of the Town Council unless authorised by a resolution.
- b **Subject to Standing Order 23(a) above, the Town Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two Councillors who shall sign the deed as witnesses.**

24 Communicating with District and County or Unitary Councillors

- a An invitation to attend a meeting of Full Council shall be sent, together with the agenda, to the ward Councillors of the District and County Councils representing the area of the Town Council.

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

25 Councillor activities

- a. Unless authorised by a resolution, no Councillor shall:
 - i. inspect any land and/or premises which the Town Council has a right or duty to inspect (this does not apply to publicly accessible property); or
 - ii. issue orders, instructions or directions to any member of staff or contractor carrying out work on behalf of the Town Council.
- b. Subject to Standing Order 25a, councillors are encouraged to:
 - i. maintain open communication with the electorate, members of public, local businesses and other routes in which to ensure they can represent the wishes and needs of the town.
 - ii. sit on Town Council Committees, Sub-Committees and/or working groups and partake in meetings and the decision-making process.
 - iii. attend and support Town Council events and public activities.
 - iv. represent the Town Council on identified Outside Bodies, maintain two-way communications for the betterment of both parties.
 - v. help positively promote the work and activities of the Town Council within the local communities and wider area.
 - vi. work collaboratively with officers for the benefit of the Town Council and town.
 - vii. familiarise themselves with Town Council policy documents.
 - viii. bring to the attention of relevant Councillors, Chairs or officers, anything that they believe is relevant to the business and activities of the Town Council.
 - ix. monitor their own attendance at Town Council meetings to ensure they do not automatically vacate their office as a result of six months of inactivity (Officers can provide greater clarity on this requirement).
 - x. commit to enacting their role and duties in accordance with the Member's Code of Conduct.

26 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 Town 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 Town Council's Standing Orders to a Councillor as soon as possible after he has delivered their acceptance of office form.
- d The decision of the Chair of a meeting as to the application of Standing Orders at the meeting shall be final.

DRAFT



Seaford Town Council

Report No:	02/22
Agenda Item No:	9
Committee:	Full Council
Date:	12th May 2022 – Ordinary Meeting
Title:	Scheme of Delegation Review
By:	Adam Chugg, Town Clerk
Purpose of Report:	To present revisions to the Town Council's Scheme of Delegation for adoption.

Recommendations
Full Council is recommended:
1. To adopt the Scheme of Delegation as presented with report 2/22, subject to job titles being updated as required.

1. Information

- 1.1 As a core part of a local council's governance documents, it is considered best practice that local councils review their Scheme of Delegation annually.
- 1.2 The Town Council's Scheme of Delegation has been reviewed by Town Council Officers and is now presented to Full Council for adoption.
- 1.3 Attached at Appendix A is a revised version of the document with tracked changes.
- 1.4 A number of the changes are being recommended to ensure this policy document is up to date and allows the activities and operations of the Town Council to be carried out effectively and efficiently.
- 1.5 The recommended amendments are as follows:
 - (a) **2.3 Community Services Committee**, page 4 – an additional term of reference added to reflect its role as parent Committee of the newly-formed Climate Change Sub-Committee.

- (b) **2.9 Climate Change Sub-Committee**, page 7 – this newly-formed Sub-Committee has been included in the document, with recommended terms of reference based on previous discussions of the Climate Change Working Group and Full Council itself.
- (c) **3.1.2 Delegated responsibilities in the absence of the Town Clerk**, pages 8 to 14 – this has been updated to reflect the temporary change in arrangements as a result of the Assistant Town Clerk’s maternity leave.
- (d) **3.1.2 (gg)**, page 13 – it is custom and practice that golf course green fees may be reduced in certain circumstances, the addition sets out the process under which this decision can be taken. It is not guaranteed that a reduction will take place but it is important to have a method in place to enable this to happen, should it be needed.
- (e) **3.1.2 (hh) and (ii)**, page 13 – these delegations have been agreed in the past by Full Council or the relevant Committee so are being properly recorded within this document, as the central record of ongoing delegation arrangements i.e. not just one-off delegations for specific tasks/instances. 3.1.2 (hh) was delegated in June 2021 and (ii) in October 2020.
- (f) **3.1.2 (jj)**, page 13 – as is expected with a hospitality business, there are occasions at which it is necessary to offer a refund to customers. This addition sets out which officers can offer refunds and the limit of these. It is important to have a method in place to enable refunds to happen, should they be needed, but importantly with significant refund requests being referred to a higher level for consideration.
- (g) **3.2 Assistant Town Clerk**, page 14 – the amendments provide clarity on the temporary arrangements in place whilst the current Assistant Town Clerk is on maternity leave and which roles take on which responsibilities.
- (h) **3.4 Responsible Financial Officer**, page 16 – 3.4.14 and 3.4.15 mirror the delegations given the Town Clerk above (3.1.2 (gg) and (jj)). 3.4.16 reflects the delegation agreed by Full Council in June 2020 ensuring adequate cover in the absence of the RFO.

- (i) **3.6 Projects & Facilities Manager**, page 18 – 3.6.9 has been removed as the roles of Project Support Officers have been amended and retitled, and no longer ‘act up’ in the absence of the manager as this was not found to be required with the current staff structure.
- (j) **3.7 General Manager The View**, page 18 - 3.7.11 mirrors the delegation given the Town Clerk above (3.1.2 (jj)).
- (k) **3.8 Golf Professional**, page 19 - 3.8.9 mirrors the delegation given the Town Clerk above (3.1.2 (gg)).

1.6 In accordance with the staff structure changes in November 2021, the document will also be corrected to update mentions of the Executive Support Officer role with its new title of HR & Governance Manager. This has not yet been done to avoid overcrowding the document with tracked changes.

1.7 A review date of May 2023 has been recommended to ensure that Scheme of Delegation continues to be reviewed annually, as is recommended.

2. Financial Appraisal

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

3. Contact Officer

The Contact Officer for this report is Adam Chugg, Town Clerk.

Town Clerk	
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Seaford Town Council

Scheme of Delegation

The Town Council's Scheme of Delegation is an essential policy to enable the Town 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 Town 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 Full Council with its findings, which may include recommendations.

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

Full 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 Full Council. Similarly, where a Committee has no delegated power to make a decision it makes a recommendation to Full 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.

2.2 Finance & General Purposes Committee

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

2.2.1 Review of Full Council budget position.

2.2.2 Consideration of annual budget request of all standing Committees for recommendation to Full 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 Write off of debts up to £3,000 (subject to requirements of Bad Debt Policy).

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.

2.3.22 Consideration of annual budget request of Community Services Committee for recommendation to Finance & General Purposes Committee.

2.3.22.3.23 Consideration of recommendations from the Climate Change Sub-Committee concerning: Council Policy, Council Decisions, Council Projects and Climate Emergency.

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.

2.4.6 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.

2.5.3 Reviewing and commenting on policies of Seaford Head Golf Club.

2.5.4 Spend within the Golf & The View Budget.

2.5.5 Withdrawing club memberships and bar from the premises any golfers whose behaviour justifies this.

2.5.6 The Golf Professional service and associated service level agreement.

2.5.7 Consideration of annual budget request of Golf & The View Committee for recommendation to Finance & General Purposes Committee.

2.6 Personnel Committee

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

2.6.1 All personnel matters not delegated to officers or Sub-Committees.

2.6.2 Authorise or not all incremental pay rises following staff appraisals.

2.6.3 Amending staff structure to reflect the Council's performance needs so long as within budget. Any changes requiring additional budget require Council approval.

2.6.4 Authorise permission for staff to accept secondary employment.

2.6.5 Authorise adjustments to employees Terms & Conditions of employment, including increases to employees contracted hours of work; subject to the Committee being presented with a fully costed business case for any changes.

2.7 **Grievance/Disciplinary Sub-Committee** **(Sub-Committee to the Personnel Committee)**

All matters (except for creating Council Policy or matters felt to be relevant for Full Council) relating to:

2.7.1 Consider and resolve all staff grievances unable to be dealt with by Officers in accordance with Grievance Policy.

2.7.2 Agree financial resolutions of grievances within budget or if it is higher or an unbudgeted expenditure, this will have to be authorised by Full Council.

2.7.3 Consider and deal with all staff disciplinary matters unable to be dealt with by Officers in accordance with Disciplinary policy.

2.7.4 Consider and deal with all potential disciplinary matters relating to the Town Clerk including the commissioning of external advisors and/or investigation in accordance with the provisions of the Council's complaints and disciplinary procedures.

2.8 **Appeals Committee**

Note: the Committee cannot consider an appeal against a decision taken by the Full Council.

All matters (except for creating Council Policy or matters felt to be relevant for Full Council) 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, where this is unable to be dealt with by Officers.
- 2.8.4** Consider all appeals against decisions where this is available within a policy.

2.9 Climate Change Sub-Committee (Sub-Committee to the Community Services Committee)

Consideration of matters relevant to the Council and Climate Emergency, with particular emphasis on:

2.9.1 Policy

2.9.2 Decision-Making

2.9.3 Project Priorities

to make recommendations to the Community Services Committee.

3 Delegation to Officers

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

Full 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 Full Council. Similarly where Officers have no delegated power to make a decision they report the matter to Committee or Full Council for a decision.

3.1 Town Clerk

3.1.1 The Town Clerk shall be the Proper Officer of the Town Council as defined in law.

3.1.2 See the table below for delegated responsibilities and the individuals to cover these in the absence of the Town Clerk:

	Delegated Responsibility	Responsible in Absence
a.	The responsibilities and duties of the role of Proper Officer as set out within law and Council policies.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
b.	Issue all statutory notifications.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
c.	Receive Declarations of Acceptance of Office.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
d.	Receive and record notices disclosing pecuniary interests.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>

	Delegated Responsibility	Responsible in Absence
		<u>arrangements for 2022 – 2023)</u>
e.	Receive and retain documents and plans.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
f.	Hold the Council's Seal and apply it to documents as approved.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
g.	Sign notices or other documents on behalf of the Council.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
h.	Receive copies of By-laws made by principal authority.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
i.	Certify copies of By-laws made by the Council.	Assistant Town Clerk <u>(HR & Governance</u>

	Delegated Responsibility	Responsible in Absence
		<u>Manager as part of maternity cover arrangements for 2022 – 2023)</u>
j.	Sign summons to attend meetings.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
k.	Ensure compliance with Standing Orders.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
l.	Manage all Town Council staff, either directly or indirectly.	Executive Support Officer
m.	Manage the provision of Council services, buildings, land and resources.	Projects & Facilities Manager
n.	Incur expenditure in an emergency up to £5,000 whether budgeted or not.	Responsible Financial Officer
o.	Act on behalf of the Council in an urgent situation and report back to the Council as soon as practical.	Assistant Town Clerk / Responsible Financial Officer / Projects & Facilities Manager / <u>HR & Governance Manager</u>

	Delegated Responsibility	Responsible in Absence
p.	Deal with dispensation requests from Members under the Code of Conduct.	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
q.	Deal with matters specifically delegated by Council or Committee.	To be assessed individually by Senior Management Team
r.	Take all decisions relating to the training of Councillors & staff.	Executive Support Officer
s.	Appoint all employees in accordance with the Council's staff structure.	Executive Support Officer
t.	Authorise minor non-fiscal adjustments to contracts of employment and job descriptions to meet the needs of the Council.	Executive Support Officer
u.	Appoint casual / temporary members of staff as needed to meet the business needs of the Council and within existing budgets.	Executive Support Officer
v.	Authorise additional hours of work for existing staff on a temporary basis to support the business needs of the Council.	Executive Support Officer
w.	Deal with all disciplinary matters and hearings in accordance with the Council's Disciplinary Policy, including	Executive Support Officer

	Delegated Responsibility	Responsible in Absence
	suspending employees as deemed necessary.	
x.	Enter into settlement agreements with employees up to a maximum of two months' salary where this is the prudent option for the Council.	Responsible Financial Officer
y.	Responsible for the overall management of all budgets in accordance with Council policies.	Responsible Financial Officer
z.	Authorised to issue press releases on any Council activity exercised in accordance with Council policy.	Senior Management Team members
aa.	Overall responsibility for Health & Safety across all Council owned sites.	Projects & Facilities Manager
bb.	Determining requests for refund or credit of golf membership fees subject to written proof of ill health being received.	Responsible Financial Officer
cc.	Authority to amend/revise the representatives on outside bodies as and when necessary where consensus is achieved (except at the beginning of each Municipal Year when this is done at the Annual Meeting).	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
dd.	Only in consultation with the Responsible Financial Officer, General Manager and Chair of Golf & The View, to amend the opening hours of The	Assistant Town Clerk <u>(HR & Governance Manager as part of maternity cover</u>

	Delegated Responsibility	Responsible in Absence
	View as deemed necessary and reporting this back to the Golf & The View Committee as soon as possible.	<u>arrangements for 2022 – 2023)</u>
ee.	Only in consultation with the Responsible Financial Officer and Chair of Finance & General Purposes and Chair of Personnel, to agree the financial package being offered to employees placed under a furlough scheme or job support scheme, providing this does not exceed budget or what the employee would receive had they not been under the scheme.	Executive Support Officer
ff.	To determine the outcome of employee probationary periods, following a probationary review having taken place.	Executive Support Officer
gg.	<u>In consultation with the Golf Professional and Responsible Financial Officer, determine reduced green fee rates as required, due to inclement weather or seasonal changes, for example. Any such decisions are to be communicated promptly to the Golf & The View Committee.</u>	<u>Assistant Town Clerk (HR & Governance Manager as part of maternity cover arrangements for 2022 – 2023)</u>
hh.	<u>In consultation with the members of the Committee Chairs Management Group (CCMG), to determine appropriate meeting arrangements upon</u>	<u>HR & Governance Manager</u>

	Delegated Responsibility	Responsible in Absence
	<u>Government announcements, as required.</u>	
<u>ii.</u>	<u>In consultation with the relevant Chairs, amendments may be made to the meeting timetable by the Proper Officer where justified and required, ensuring that this does not reduce the number of Full Council or Committee meetings held during the 2021 – 2022 Municipal Year.</u>	<u>HR & Governance Manager</u>
<u>jj.</u>	<u>In consultation with the General Manager, the RFO or Town Clerk can agree refunds to be offered to customers at The View with a monetary value of over £500 but no more than £2,000 – refunds above this amount will be considered by the Golf & The View Committee.</u>	<u>Responsible Financial Officer</u>
<u>gg.</u> <u>kk.</u>	Matters specifically delegated within Council policies.	(broadly speaking) Financial Policies – Responsible Financial Officer or Finance Manager Personnel Policies – Executive Support Officer Civic/Freedom of Information/Consultation

	Delegated Responsibility	Responsible in Absence
		<p>Policies – Assistant Town Clerk <u>(Assistant Town Clerk (Strategic Projects) and Office Manager as part of maternity cover for 2022 – 2023)</u></p> <p>To be assessed individually by Senior Management Team as and when required.</p>

3.2 Assistant Town Clerk

As part of the maternity cover arrangements for 2022 – 2023, the Assistant Town Clerk (Strategic Projects) (ATC-SP) and Office Manager (OM) posts assume the responsibilities of the Assistant Town Clerk post, as shown below. With the exception of 3.2.1 below, which is covered by the HR & Governance Manager (HRGM) post as reflected in the table at 3.1.2.

- 3.2.1 Those responsibilities delegated in the absence of the Town Clerk at the table referred to in 3.1.2. (HRGM)
- 3.2.2 Dealing with and resolving complaints received by the Council (except those regarding the actions or conduct of Councillors or Council employees), in accordance with the Complaints Procedure. (ATC-SP)
- 3.2.3 Authorised to issue press releases on any Town Council activity exercised in accordance with Town Council policy, save for press releases felt to be controversial or regarding a specific campaign, for example, which will be signed off by the Proper Officer. (OM)

- 3.2.4** Day to day management of Civic functions for the Council. (OM)
- 3.2.5** Day to day management of the Council's website and social media activities. (OM)
- 3.2.6** Day to day management of employees within section. (OM)
- 3.2.7** Authorising expenditure within budgeted levels in areas of responsibility and those delegated by Town Clerk. (OM & ATC-SP)
- 3.2.8** Matters specifically delegated by Council or Committee. (OM & ATC-SP)

3.3 Executive Support Officer

- 3.3.1** Those responsibilities delegated in the absence of the Town Clerk at the table referred to in 3.1.2.
- 3.3.2** Day to day management of all of the Council's Human Resources functions.
- 3.3.3** Authorising expenditure within budgeted levels in areas of responsibility and those delegated by Town Clerk.
- 3.3.4** Matters specifically delegated by Council or Committee.

3.4 Responsible Financial Officer

- 3.4.1** Those responsibilities delegated in the absence of the Town Clerk at the table referred to in 3.1.2.
- 3.4.2** Proper administration of the Council's financial affairs.
- 3.4.3** Report to External Auditor matters under Local Government Finance Act 1988 s114.
- 3.4.4** Ensure compliance with Financial Regulations.
- 3.4.5** Ensure compliance with all financial procedures.
- 3.4.6** Determine accounting policies, records and control systems.
- 3.4.7** Manage risk management of the Council.

- 3.4.8** Day to day management of employees within section.
- 3.4.9** Matters specifically delegated by Council or Committee.
- 3.4.10** Only in consultation with the Town Clerk, General Manager and Chair of Golf & The View, to amend the opening hours of The View as deemed necessary and reporting this back to the Golf & The View Committee as soon as possible.
- 3.4.11** Only in consultation with the Town Clerk and Chair of Finance & General Purposes and Chair of Personnel, to agree the financial package being offered to employees placed under a furlough scheme or job support scheme, providing this does not exceed budget or what the employee would receive had they not been under the scheme.
- 3.4.12** Having consulted with the Chair of Finance & General Purposes, at the year end to earmark any underspends on any appropriate budget as long as there are sufficient underspends in the overall Town Council budget. Any such decisions are to be communicated promptly to the Finance & General Purposes.
- 3.4.13** The sign equipment leases on behalf of the Town Council.
- 3.4.14** In consultation with the Town Clerk and Golf Professional, determine reduced green fee rates as required, due to inclement weather or seasonal changes, for example. Any such decisions are to be communicated promptly to the Golf & The View Committee.
- 3.4.15** In consultation with the General Manager, the RFO or Town Clerk can agree refunds to be offered to customers at The View with a monetary value of over £500 but no more than £2,000 – refunds above this amount will be considered by the Golf & The View Committee.
- 3.4.16** In the absence of the RFO for a significant period of time, the Proper Officer shall assume the legal responsibilities of RFO and

the Finance Manager shall assist in covering other aspects of the RFO's workload, where required.

3.5 Finance Manager

- 3.5.1** Those responsibilities delegated in the absence of the Town Clerk at the table referred to in 3.1.2.
- 3.5.2** Arrange and manage the Council's insurance arrangements.
- 3.5.3** Management of Council salaries in accordance with contracts of employment.
- 3.5.4** Day to day management of all employees within section.
- 3.5.5** Matters specifically delegated by Council or Committee.

3.6 Projects & Facilities Manager

- 3.6.1** Those responsibilities delegated in the absence of the Town Clerk at the table referred to in 3.1.2.
- 3.6.2** Day to day management of land, buildings and other resources.
- 3.6.3** Project development for consideration by relevant Committee.
- 3.6.4** Management of maintenance contracts.
- 3.6.5** Day to day management of all employees within section.
- 3.6.6** Matters specifically delegated by Council or Committee.
- 3.6.7** Developing income generating activities.
- 3.6.8** Responsible for the management of the Community Services budget in accordance with Council Policy.

~~**3.6.9** (Above responsibilities assumed by Projects Support Officers in the absence of the Manager).~~

3.7 General Manager - The View at Seaford Head

- 3.7.1** Day to day management of The View.
- 3.7.2** Management of the maintenance of the facility, including the car park.

- 3.7.3 Day to day management of all employees within section.
- 3.7.4 Appointment of all employees within structure.
- 3.7.5 Appointment of temporary and casual employees where a business case can be demonstrated.
- 3.7.6 Power to undertake disciplinary investigations and procedures in consultation with the Executive Support Officer. This includes the power to suspend employees whilst investigating alleged disciplinary matters.
- 3.7.7 Developing income generating activities.
- 3.7.8 Matters specifically delegated by Council or Committee.
- 3.7.9 Responsible for the management of The View budget in accordance with Council policy.
- 3.7.10 Dealing with complaints regarding The View, as per the Complaints Procedure. Only in consultation with the Town Clerk, Responsible Financial Officer and Chair of Golf & The View, to amend the opening hours of The View as deemed necessary and reporting this back to the Golf & The View Committee as soon as possible.
- 3.7.11 Agreeing refunds to be offered to customers, where required as a result of unsatisfactory service, up to a maximum of a monetary value of £500. Any such decisions are to be communicated promptly to the Town Clerk and Responsible Financial Officer. Refunds over £500 will require the approval of the Town Clerk or Responsible Financial Officer before being agreed. Refunds above £2,000 must be considered by the Golf & The View Committee.
- 3.7.12 (Above responsibilities assumed by Assistant Manager in the absence of the Manager).

3.8 Golf Professional (non-employee service contract)

- 3.8.1 Day to day management of the Golf Course.
- 3.8.2 Management of the maintenance of the Course.

- 3.8.3** Day to day management of all employees within section.
- 3.8.4** Authorising licensed vermin control shooters on course up to a maximum of four.
- 3.8.5** Developing income generating activities.
- 3.8.6** Matters specifically delegated by Council or Committee.
- 3.8.7** Responsible for the management of the Golf Course budget in accordance with Council Policy.
- 3.8.8** Dealing with Complaints regarding activities on Seaford Head Golf Course, as per the Complaints Procedure.
- 3.8.9** In consultation with the Town Clerk and Responsible Financial Officer, determine reduced green fee rates as required, due to inclement weather or seasonal changes, for example. Any such decisions are to be communicated promptly to the Golf & The View Committee.



Seaford Town Council

Report No:	06/22
Agenda Item No:	10
Committee:	Full Council
Date:	12th May 2022 – Ordinary Meeting
Title:	NEW Co-option Policy
By:	Adam Chugg, Town Clerk
Purpose of Report:	To present a draft Co-option Policy for adoption

Recommendations
Full Council is recommended:
1. To adopt the Co-option Policy as presented with report 06/22.

1. Information


- 1.1 Co-option is the process under which a local council may fill a casual vacancy by selecting a new councillor itself, rather than the local electorate electing them to office. It is important to remember that there are only certain circumstances in which co-option can be used (these are set out within the appended draft policy).
- 1.2 At a recent training session, it was recommended that local councils should have a Co-option Policy to ensure a pre-agreed, transparent and fair process, should the Town Council have the opportunity to fill a casual vacancy by co-option.
- 1.3 Attached at Appendix A is the draft Co-option Policy presented for adoption.
- 1.4 Officers have researched other local council co-option policies, the National Association of Local Councils legal topic note on co-option and other relevant publications and legislation, to devise this draft policy and process.

2. Financial Appraisal

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

3. Contact Officer

The Contact Officer for this report is Adam Chugg, Town Clerk.

Town Clerk	
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Seaford Town Council

Co-option Policy

1. Introduction

- 1.1 The normal process for filling a casual vacancy is election by the local electorate at a by-election. Co-option is the process by which the Town Council selects a new Councillor, rather than a by-election taking place.
- 1.2 There are two circumstances under which the Town Council may proceed to fill a casual vacancy by co-option:
 - When a seat has been left vacant because no eligible candidate stood for election at the ordinary elections for a new council (currently every four years).
 - When a seat falls vacant but the required 10 electors of the relevant ward have not called for a poll (by-election) within the legally specified time period following publication of the notice of vacancy (see section 2 below).
- 1.3 If the period of vacancy has six or more months to run until the next ordinary election, the Town Council must use the co-option process, as soon as practicably possible. If the next ordinary election is within six months, the Town Council may choose whether or not it wishes to co-opt.
- 1.4 The Town Council is not obliged to select anyone from the candidates who apply in the co-option process; if the process is unsuccessful (whether through lack of or no suitable candidates which achieve a majority vote) then the Town Council will rerun the co-option process, subject to the timescales at 1.3 above.
- 1.5 The Town Council would manage the process of co-option itself, with this policy outlining the procedure to be followed by the Town Council when co-option is considered, in order to ensure a fair and transparent process is undertaken.

2. Timeline of a Casual Vacancy Occurring

- 2.1 Upon learning of a casual vacancy from a seat falling vacant (through the disqualification, resignation or death of a councillor, for example), the Town Clerk will have notified Lewes District Council's Returning Officer of the vacancy arising. Lewes District Council being the local electoral authority, legally responsible for delivering electoral services.
- 2.2 The District Council will advertise the vacancy and require the Town Council to make sure the notice of a casual vacancy is shared in conspicuous places. The Town Council meets this requirement by displaying the notice on its noticeboards, website, social media pages and by email to all councillors, staff and public mailing list subscribers.
- 2.3 A legal timeframe of 14 days is assigned, from the date of the notice, for 10 or more electors in the relevant town ward with the vacancy to contact the District's Council's Returning Officer requesting that a poll (by-election) be held. If this occurs, the District Council will issue a notice of poll and manage the by-election process accordingly.
- 2.4 If the requirements at 2.3 are not met and a poll is not requested by 10 or more electors, the District Council will notify the Town Council that the casual vacancy may be filled by co-option.
- 2.5 As alluded to at 1.2 and 2.1, the other way in which a casual vacancy can occur (rather than by a seat falling vacant), is from the lack of eligible candidates at ordinary elections. In this case, the District Council's Returning Officer would notify the Town Council immediately after the results of the ordinary elections are known that co-option can take place.
- 2.6 As per 1.3 above, where there is six months or more until the next ordinary election, the Town Council will follow the process set out within this policy document upon notification that co-option can take place.
- 2.7 If there is less than six months until the next ordinary election, a report will be presented to Full Council as soon as practicably possible to enable Full Council to decide whether it wishes to co-opt to fill the vacancy.
- 2.8 If co-option is not used to fill a vacancy due to there being less than six months to the ordinary election, that seat will be filled as usual in the ordinary election process.

3. Advertisement Process

- 3.1 Local councils can only be as connected and helpful as the people elected to run them, so they require councillors capable, enthusiastic and engaged to reflect their communities. As such, making co-options is an opportunity for a local council to address shortfalls and imbalances in their membership.
- 3.2 Although seeking 'expressions of interest' is not a legal requirement, the National Association of Local Councils (NALC) recommends that councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.
- 3.3 On receipt of written notice from Lewes District Council (the local electoral authority) that a casual vacancy may be filled by means of co-option (see section 2 above):
- The Town Clerk will share the advertisement of the vacancy to be filled by co-option with all Councillors for commenting on, before ensuring this is advertised within 21 days of receipt of the written notification.
 - The co-option advertisement will include the closing date for requests for consideration (between 14 and 30 days after the date of the advertisement) and the number of vacancies, and will be shared on the Town Council's website, social media platforms, noticeboards and other relevant communication methods, such as sharing with local partners and community groups.
- 3.4 A co-option provides an opportunity for the Town Council to assess any skills gaps from within its members and advertise for applicants with the desirable skills to apply. Not holding the identified skills should not however be reason alone for not considering an applicant and the Town Council will need to be mindful of this throughout the process.
- 3.5 Councillors may point out the vacancies and the process to any qualifying candidate(s). Candidates found to be offering inducements of any kind will be excluded from the process.

4. Application Process

- 4.1 The Town Council will make available on its website (or in hard copy to those that request it) information about the role of Town Councillor, an overview of the Town

Council and other relevant guidance which will support potential candidates in deciding whether or not they may wish to apply.

4.2 Applicants for a vacancy will be asked to:

- Submit information about themselves by completing a Councillor Casual Vacancy Application Form (see Appendix A), including a description of their interest in becoming a councillor and specifying any skills or qualifications which may benefit the Town Council.
- Confirm their eligibility for the position of councillor within the statutory rules and that they are not disqualified from standing. A copy of the criteria is set out within the Councillor Casual Vacancy Application Form.

5. Decision-Making Process

- 5.1 Copies of all applications will be circulated to all Councillors by the Town Clerk at least three clear working days prior to the Full Council meeting where the co-option will be considered. The applications will be treated by the Town Clerk and Councillors as strictly confidential.
- 5.2 All eligible candidates will be invited to attend the Full Council meeting at which co-options will be considered. The co-option agenda item will be carried out by Full Council in public session.
- 5.3 If candidates are unable to attend this meeting, their application will still be considered in their absence (unless it is withdrawn).
- 5.4 No alternative date or time for a meeting will be arranged.
- 5.5 The co-option process will be determined in a public session of the Town Council and a specific agenda item will be set aside for applicants to make a brief, verbal presentation to the Town Council in support of their application.
- 5.6 A maximum of three minutes will be allowed per candidate.
- 5.7 Councillors may ask questions of the candidates following their presentations.
- 5.8 Following the conclusion of all presentations, there will be no discussion of the presentations and Full Council will proceed to voting.

- 5.9 The initial vote will be to decide whether to proceed with co-option – this vote will be taken by show of hands.
- 5.10 Should Full Council resolve that there are suitable candidates and to proceed, Councillors will vote for individual candidates by show of hands, alphabetically by surname. Councillors will have one vote per vacancy to be filled.
- 5.11 In the event of there being only one candidate, a vote will still need to be taken.
- 5.12 Councillors are still bound to declare a prejudicial interest if they or a member of their family or close associate are related to or have a close relationship to an individual candidate and would need to request a dispensation in order to speak or vote (Standing Order 13 sets out the process for requesting a dispensation, which would ideally be requested ahead of the meeting). If a Councillor is uncertain of whether an interest is declarable, they can seek the advice of the Town Clerk ahead of the meeting. If a dispensation is requested and not granted, the Councillor will have to withdraw from the meeting for the co-option item of the agenda.
- 5.13 A candidate can only be elected by co-option following a majority vote of Full Council. A majority vote is a majority of the total number of Councillors present at the meeting e.g. if there are 20 councillors voting, the majority would be 11 votes for.
- 5.14 If there are more than two candidates for one vacancy and not one of them at the first count receives a majority over the total votes given to the rest, the Chair will strike off the candidate with the least number of votes and the remainder must then be put to the vote again until an absolute majority is achieved.
- 5.15 In accordance with Standing Orders, the Chair may exercise their right to use a casting vote in the case of a tied vote.
- 5.16 If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution, but if the number of candidates exceeds the number of vacancies each vacancy must be filled by a separate vote or series of votes.
- 5.17 The Council is not obliged to fill all or any vacancies. If this is the case, steps will be taken to advertise for further co-options, subject to the timescales at 1.3 above.

6. Successfully Co-option – Next Steps

- 6.1 Successfully co-opted candidates become Councillors in their own right, with immediate effect (subject to the signing of the declaration of acceptance of office).
- 6.2 The co-opted members will be asked to sign a Declaration of Acceptance of Office before or at the first meeting of the Town Council after their election and to agree to be bound by the Town Council's adopted Code of Conduct. They may then take their seat at the Town Council and will have the ability to be appointed to committees and/or become a representative to local organisations.
- 6.3 The Register of Members Interests form must be completed within 28 days of election - the Town Clerk will then forward a copy to the District Council's Monitoring Officer.
- 6.4 Any newly co-opted members will be provided with a welcome pack and invited to attend an induction and training session with the Town Clerk and/or other officers. This should take place, where possible, before the next Full Council meeting.

Adopted: DATE 2022

Review: DATE 2025



Seaford Town Council

Application to Fill a Casual Vacancy for a Councillor

<enter ward name here> Ward

Seaford Town Council

To stand for election to become a town councillor you must be:

- At least 18 years old on the day of your nomination, and
- A British citizen, an eligible Commonwealth citizen or a citizen of any other member state of the European Union

You must also meet at least one of the following four qualifications:

- You are, and will continue to be, registered as a local government elector for the parish in which you wish to stand from the day of your nomination onwards
- You have occupied as owner or tenant any land or other premises in the parish area during the whole of the 12 months before the day of your nomination and the day of election
- Your main or only place of work during the 12 months prior to the day of your nomination and the day of election has been in the parish area
- You have lived in the parish area or within three miles of it during the whole of the 12 months before the day of your nomination and the day of election

Disqualifications from standing:

There are certain people who are disqualified from being elected to a town council in England and Wales.

You cannot be a candidate if at the time of your nomination and on the day of the election, **any** of the following are true:

- You are employed by the parish/town council or hold a paid office under the Town Council (including joint boards or committees),
- You are the subject of a bankruptcy restrictions order or interim order,
- You have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine, during the five years before polling day
- You have been disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations) or under the Audit Commission Act 1998

A person may also be disqualified from election if they have been disqualified from standing for election to a local authority following a decision of the First-tier Tribunal (formerly the Adjudication Panel for England or Wales).

If successful, you will be required to complete a Register of Members' Interests. This involves putting your address, employment, relevant major shareholdings and membership of charities, pressure groups, political parties etc., on public record.

Full name	Title: First name: Other names: Surname:
Address	Postal address: Phone: Email:
Will you be at least 18 years old on the date of the Meeting	Yes / No
In order for your eligibility to be confirmed please tick all of the following that apply to you For full detail on eligibility please refer to Lewes District Council's electoral officer.	<ol style="list-style-type: none"> 1. On the current electoral register for the Parish/Ward (on-going requirement; you are required to remain on the register throughout your term of office) <input type="checkbox"/> 2. Have lived in the parish or within 3 miles of the parish boundary during the whole of the 12 months before the day of nomination & election <input type="checkbox"/> 3. Main place of business during the last 12 months before the day of nomination & election is based in the parish <input type="checkbox"/> 4. Occupy as owner or tenant property within the parish for 12 months before the day of nomination & election <input type="checkbox"/>
Please indicate in no more than 100 words why you would like to join the Town Council	

What do you personally feel the role of a Town Councillor to be?
What do you feel are the Town Council's strengths and weaknesses?
How would you personally be able to build on these?
What qualities, skills and experience do you have to offer to the Town Council?
Why do you want to be a Town Councillor?

<p>You would be disqualified from being a councillor for the reasons stated on the front cover of this application. Please refer to that information before completing this application form.</p>	<p>I am not aware of any disqualification to my serving as a Town Councillor</p> <p>Signed :</p>
<p>I confirm the above information is correct to the best of my knowledge. I also confirm that by signing I am confirming that Seaford Town Council may process my personal data for the purposes of this application under data protection legislation.</p> <p>Signed :</p> <p>Date:</p>	

Please return completed form and any supporting information to:

Town Clerk
Seaford Town Council
37 Church Street
Seaford
East Sussex
BN25 1HG

Or email to adam.chugg@seafordtowncouncil.gov.uk



Seaford Town Council

Report No:	05/22
Agenda Item No:	11
Committee:	Full Council
Date:	12th May 2022 – Ordinary Meeting
Title:	2022 – 2023 Meeting Timetable – Final Approval
By:	Adam Chugg, Town Clerk
Purpose of Report:	To present the final draft 2022 – 2023 meeting timetable for approval.

Recommendations
Full Council is recommended:
1. To approve the 2022 – 2023 meeting timetable as presented with report 05/22.

1. Information

- 1.1** At it's March meeting, Full Council approved its draft meeting timetable for the 2022 – 2023 Municipal Year, subject to final approval being agreed at this meeting in May.
- 1.2** The final draft meeting timetable is presented at Appendix A, containing three amendments from the version agreed in March:
 - (a)** June Full Council meeting is no longer limited to only being held for the purposes of approving the Annual Return. This is as a result of important items of business being identified that cannot wait until the July Full Council meeting and will not be ready to present at the May meeting.
 - (b)** Following a request at the March Full Council meeting, two dates have been included for the Personnel Committee. Officers will consult with the Chair if additional meetings are required during the year.

- (c) Following the appointment of its members at the Annual Meeting, officers will arrange the dates of the Climate Change Sub-Committee meetings – there will be three in the first year. Officers believe it is best to wait until all other meeting dates are set and councillors know their diaries and then find when best to hold the Sub-Committee meetings.

1.3 For the background commentary behind the draft timetable, please refer to report 196/21 presented to Full Council in March.

1.4 At this meeting in March, councillors raised comments regarding the venue for the meetings and asked that officers look further into the options available. This work is ongoing but in the interim, does not prevent Full Council from agreeing its final meeting timetable for the coming municipal year.

1.5 Full Council is therefore asked to approve the 2022 – 2023 meeting timetable as presented at Appendix A.

2. Financial Appraisal

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

3. Contact Officer

The Contact Officer for this report is Adam Chugg, Town Clerk.

Town Clerk	
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**STC Meeting Timetable 2022-2023:
Summary of Public Meetings
All at 7.00pm**

Committee	Frequency	2022								2023				
		May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	April	May
Council	Bi-monthly	12 * Thurs	16 Thurs	14 Thurs		29 Thurs		10 Thurs		26 Thurs		23 Thurs		11** Thurs
Community Services	Quarterly Jun [!] , Sept, Dec, Mar	5 Thurs				15 Thurs			1 Thurs			2 Thurs		
Climate Change Sub-Committee	Three times a year TBC													
Finance & General Purposes	Quarterly Jun, Sep, Dec, Mar		28 Tues			6 Tues			20 ^h Tues			14 Tues		
Golf & The View	Quarterly May, Aug, Nov, Feb	24 Tues			30 ^h Tues			15 Tues			28 Tues			30 ^h ** Tues
Planning & Highways	Tri-weekly	19 Thurs	9 Thurs	21 Thurs	11 ^h Thurs	1 ^h Thurs	13 Thurs	3 Thurs	15 Thurs	5 Thurs	16 ^h Thurs	9 Thurs	20 Thurs	2 Tues
			30 Thurs			22 Thurs		24 Thurs		25 Wed		30 Thurs		
Personnel	Twice Yearly + others as required			7 Thurs							23 Thurs			
												2022/23 Town Forum 11 ^h Tues	Elections 4 Thurs	

* May 2022 Annual Meeting to be followed immediately by an Ordinary Council Meeting.

** Forms part of 2023/24 Municipal Year

* May 2022 Annual Meeting to be followed immediately by an Ordinary Council Meeting.

** Forms part of 2023/24 Municipal Year.

^h In school holidays

[!] June's Community Services meeting has been scheduled for May, as this date had been previously agreed and moving this would impact on the timeline of reports planned for this May meeting date.



Seaford Town Council

Report No:	10/22
Agenda Item No:	7
Committee:	Full Council
Date:	12th May 2022 - Ordinary
Title:	Town Clerk's Update Report – May 2022
By:	Adam Chugg, Town Clerk
Purpose of Report:	To update Full Council on key Town Council work and work priorities for the Town Council.

Recommendations
Full Council is recommended:
1. To note the contents of the report.

1. Introduction

- 1.1** As Councillors are aware, key priorities for this municipal year have included to:
- (a)** Manage the ongoing response of the Town Council to the Covid crisis.
 - (b)** Increase the level of the Town Council's General Reserve.
 - (c)** Take forward the building of the Martello Toilets.
 - (d)** Enact the results of the review of the Town Council's assets.
 - (e)** Work to maximise the financial returns the Town Council can achieve at The View.
- 1.2** Significant progress has been made on all of the above.

2. The View

2.1 Operational Update

- (a)** It has been a very busy time with a number of staffing changes at The View in the last couple of months.
- (b)** Our Bar Supervisor and Head Chef have both stepped up and done a great job to maintain business and operational continuity until the new

manager starts on the 9th of May. They have adopted a fantastic, 'can do' approach, recruited, trained and supported staff and made sure everything can happen.

- (c) Our HR & Governance Manager and myself have also undertaken additional work to support, and our Finance and Office teams have also done what they can to assist.
- (d) We have received very positive feedback about two of the key recent events - the wedding on the 16th of April and the Royal Society of St George's dinner on the 23rd of April - and everyone has worked together to ensure 'Business as Usual' for diners, golfers, functions, societies and events.

2.2 The View Working Group

- (a) Here is the motion of the Golf & The View Committee that established the working group and which the group have adopted as its purpose:
 - 1. To establish The View Working Group to undertake the following:
 - i. To review the previous Business Plan and other reports written about The View since it opened.
 - ii. To draw on the expertise of staff, Councillors and other stakeholders to identify ways of increasing income.
 - iii. To consider leasing out the restaurant and catering operation to a specialist hospitality company/restauranteur.
 - iv. To produce a list of proposals for consideration to the Golf & The View Committee and then seek agreement for those actions by Full Council.
- (b) Work has begun and recommendations for Cllrs will come forward in due course from the Working Group.
- (c) It is 'Business As Usual' at The View during this time.
- (d) Managers from The View will be presenting their ideas to the working group soon.

3. Hope Gap

- 3.1 Our officer team are working with partners to put in place additional signage and possible access restrictions to do all we can to minimise the risks of people getting cut off by the tide.

- 3.2 We are working with South Downs National Park Authority and the Police in response to possible unauthorised ground disturbance in the area.

4. Ukraine

- 4.1 We are all aware of the terrible events taking place in that country.
- 4.2 We are doing all we can. The Town Council moved quickly in putting out an appropriate message of support for the people of Ukraine, obtaining and flying a Ukrainian flag, and acting as a source of information including signposting to official schemes/charities offering support including the Homes for Ukraine scheme and the DEC Ukraine Humanitarian appeal.
- 4.3 Carrying out important work behind the scenes that has enabled the following:

A daily UKR Community Café has been launched by Seaford 4 Ukraine, now providing a social space for Ukrainian guests to meet one another, speak in their own language and share experiences. *This runs 2-5pm Monday to Friday but the location isn't being widely publicised outside our identified network to ensure retention as a safe space for our guests.*

I think we should be very proud of all the work the Seaford Town Council team has undertaken to make this happen.

5. Gabion Wall

- 5.1 Following on from Storm Eunice, officers have sought expert professional advice on the next steps, and we will keep councillors posted on this matter.

6. Key Operational Priorities Update (Updates on the 14 operational Priorities)

- 6.1 *Work with councillors, staff and stakeholders to update and refresh the Strategic Objectives of the Town Council:*
- (a) The old plan has been signed off by Full Council and an update is being placed upon the Town Council's website along with a summary of the key priorities for the Municipal Year 2022 – 2023.

6.2 *Enable the Town Council to play its role in tackling climate emergency, working with councillors and staff to build on the Climate Emergency motion:*

- (a)** The new Sub-Committee is being implemented at this meeting, to work on completing the policy, preparing the ground for Environment Impact considerations, and overseeing the promoting the work the Town Council is doing in response to the Climate Emergency.
- (b)** Important climate emergency work continues on the Golf Course, and in developing more arrangements with green groups, Trees for Seaford and others.
- (c)** Work on Fields in Trust is continuing, following the decision of the March Full Council.
- (d)** We have also implemented the web page which will be regularly updated: <https://www.seafordtowncouncil.gov.uk/climate-change/>.

6.3 *Work with Councillors and staff to confirm and implement work that can maximise revenue from 'Staycation' opportunities in 2021*

- (a)** We reported on our work and achievements to an earlier Full Council.

6.4 *Improve the financial stability and sustainability of the Town Council over time:*

- (a)** As councillors will be aware, thanks to our hard work, the level of the General Reserve has continued to increase, and the Town Council is in a significantly stronger position than it was in 2020. This has been a truly 'whole Council' effort and it's great news for the Town Council and the Town that we are on much firmer foundations.

6.5 *Lead and oversee the Town Council response to any further Covid changes and be ready for what the future may hold:*

- (a)** All guidance was successfully implemented, grants claimed, and business continuity maintained throughout.

6.6 *Work with stakeholders to explore and develop options relating to the S106 monies from Newlands:*

- (a)** Following on from the plans agreed in October, a further report will be brought to the June Full Council meeting. I am working closely with the Planning Officer on the next stages of this work

6.7 *Undertake the CiLCA qualification:*

- (a) I am registered and have begun to submit work. I expect to complete this before the end of the year.

6.8 *Take forward work to rebuild the Martello Toilets:*

- (a) Tenders are being reviewed in collaboration with ABIR, the architects and project managers.
- (b) A briefing will be arranged shortly for councillors on the outcomes and next steps.

6.9 *Ensure Seaford Town Council input into the new Lewes District Council Local Plan*

- (a) There is no further update on the Plan at this stage, but a meeting was held at the end of March between senior officers from Lewes District Council and the Vice-Chair of the Planning & Highways Committee, the Planning Officer and myself. We discussed and agreed some changes to process to maximise effective working between the authorities on planning matters.

6.10 *Manage Seaford Head and respond to any changes as required:*

- (a) Further work is being undertaken ahead of more detailed planning of the work to re-site the 17th green and 18th tee on the golf course.
- (b) Following on from the successful archaeological investigations of the Iron Age Fort site, a report and complementary films will be available in due course. Plans are also being made for a public meeting on the findings and next steps for later in the year. It's been a good example of successful partnership working that will provide valuable information for the Town and the Town Council, and shows the Town Council delivering on its responsibilities as landowner and custodian of the site.
- (c) Sussex Wildlife Trust continue to do an excellent job managing the Nature Reserve, and I am re-instigating the regular review meetings between STC and SWT on key matters.

6.11 *Enable Councillors to consider options relating to parking in the town, especially on/around the seafront:*

- (a) These matters will also be discussed at the upcoming Strengthening Local Relationships (SLR) meeting with the County Council - this meeting is scheduled for mid-May.

6.12 *Take forward the revising of the Hurdis House Lease:*

- (a) The draft lease is being discussed with the tenant.

6.13 *Review and update the arrangements relating to the Golf Professional:*

- (a) Over recent months, key changes achieved have included definitively establishing the contractor status for the professional, and put in place the necessary steps for teaching to return. A final version of the updated agreement will be ready shortly.

6.14 *Prepare for the celebrations of the Queen's Platinum Jubilee in June:*

- (a) Preparations continue for the Beacon ceremony on the 2nd June, with beacon, choir, piper, and other arrangements all in place for the lighting of the Beacon at 9.45pm.
- (b) The View is holding two themed events to complement the Jubilee – a Best of British evening on the 2nd, and a Jubilee Tea on the 3rd.

7. Forward Plan

7.1 Key priorities for the Municipal Year 2022 - 2023 include the following.

7.2 Taking forward key work from 2021 - 2022, including:

- (a) Martello Toilets
- (b) Tennis Courts
- (c) Jubilee Celebrations
- (d) Ukraine
- (e) Gabion Wall
- (f) Further strengthening the Town Council's finances
- (g) Implementing the outcomes of The View Working Group
- (h) Partnership work on green spaces
- (i) 17th green plans
- (j) Newlands S106
- (k) Local Plan

7.3 In addition, we will work on all of the following:

- (a) Deliver the scheme of work for projects agreed by the Community Services Committee for the 2022 - 2023 Municipal Year.
- (b) Prepare for the 2023 election.
- (c) Re-convene the Assets Working Group.

- (d) Develop a new Communications Protocol to maximise the effectiveness of how councillors and officers work together.
- (e) Implement the new Climate Change Sub–Committee.
- (f) Work to develop more ‘shovel ready’ projects to improve Seaford’s chances of attracting external funding.
- (g) Deepen our understanding of the current provision of community spaces in the town so as to make the best of what we have, understand unmet need, and work towards how best to deliver what the town needs over time.
- (h) Undertake community and stakeholder engagement on priorities for the town and the Town Council.
- (i) In summary, be a small and dedicated team, working with our Councillors and as hard as we can for the betterment of Seaford.

8. Conclusion


- 8.1 I trust this paper gives councillors a good understanding of the key areas of work and priorities for the Town Council and my role.
- 8.2 I have endeavoured to provide the transparency and accountability councillors need, and strike the right balance between strategic and operational priorities required by the role.

9. Financial Appraisal

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

10. Contact Officer

The Contact Officer for this report is Adam Chugg, Town Clerk.

Town Clerk	
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Seaford Town Council

Report No:	08/22
Agenda Item No:	12
Committee:	Full Council
Date:	12th May 2022 - Ordinary
Title:	Insurance Arrangements
By:	Lucy Clark, Finance Manager
Purpose of Report:	To present an update on the Town Council's Insurance Arrangements.

Recommendations
Full Council is recommended:
1.To note the information regarding the Town Council's Insurance Arrangements.

1. Information

- 1.1 The Town Council is currently in the second year of a 3 plus 2-year option with Zurich for its various types of insurance cover as agreed by Full Council on 18th March 2021.
- 1.2 This took effect from 1st April 2021 and is in place until 31st March 2024, with the option to extend the term for until 31st March 2026.
- 1.3 The option to extend will be assessed based upon market conditions at that time.
- 1.4 The policy was originally quoted to be £18,993 with a 3% uplift year on year. But as previously reported, the Town Council's buildings were revalued in May 2021 thus increasing the first year's premium to £19,593.
- 1.5 The second year of the policy commenced on 1st April 2022. Following the main addition of the tennis courts (to include the electronic access gate and eight floodlights), the premium for 2022 - 2023 is £20,776.



- 1.6** A copy of the policy can be requested from the Finance Manager should Councillors wish to view this.

2. Financial Appraisal

- 2.1** The 2022 - 2023 budgeted costs for the Zurich insurance across all cost centres totals £21,040. This leaves £264 remaining in the budget for any additions that could arise later during the year.

3. Contact Officer

- 3.1** The Contact Officer for this report is Lucy Clark, Finance Manager.

Finance Manager	
Town Clerk	



Seaford Town Council

Report No:	11/22
Agenda Item No:	13
Committee:	Full Council
Date:	12th May 2022 – Ordinary Meeting
Title:	Direct Funding Survey
By:	Adam Chugg, Town Clerk, and Georgia Raeburn, HR & Governance Manager
Purpose of Report:	To make councillors aware of the current Direct Funding Survey and enable them to consider what is being proposed and consulted upon.

Recommendations

Full Council is recommended:

1. To note the report and the NALC Direct Funding Survey and provide views on the position of Seaford Town Council in the relation to the key questions asked.

1. Introduction

- 1.1** The National Association of Local Councils (NALC), supported by the Society of Local Council Clerks (SLCC), is surveying local councils about the concept of 'direct funding' from government for town and parish Councils.
- 1.2** The survey can be found at Appendix A.
- 1.3** Officers believe this to be the first time that this topic is being presented to Seaford Town Council and as such, have provided an overview of the current arrangements of local government funding and what is understood to be NALC's position regarding direct funding. This is so that the Town Council is aware of this and can make comment should it wish to do so.

2. An Overview - Local Government Funding

- 2.1** Each year, central government determines its Local Government Finance Settlement. This settlement agrees the types and level of central government funding that can be passed on to local government.
- 2.2** It is important to note that for the purposes of this settlement, town and parish councils are not considered as 'local government'. The annual settlement covers all county, district and unitary authorities in England, plus fire and rescue authorities and the Greater London Authority. It has also recently included mayoral combined authorities. Police and education funding are not included in the annual settlement.
- 2.3** It is through this settlement that those local government authorities can support their service delivery and meet extra cost and demand-led pressures, in addition to council tax and their limited other sources of income, by accessing both ring-fenced funds (such as social care funds) and general funds, which cover a broader spectrum of services/projects but are quite often time-limited i.e. may not be guaranteed to be available one year to the next (more recent examples of these, are the New Homes Bonus, Public Health Fund and the one-off 2022 – 2023 Services Grant, which will cover the costs of vital services and also help cover the increase in employer's national insurance contributions).
- 2.4** In 2021 – 2022, and again for 2022 – 2023, district councils have had access to a Lower Tier Support Grant, which helps to fund the 'lower tier' services, such as; Environmental Health, Homelessness Prevention, Museums and Galleries, Parking, Planning, Recreation and Refuse Collection, amongst others.
- 2.5** Central Government also makes funds available for non-departmental public bodies (such as Natural England, Environment Agency, Companies House, ACAS and a significant number of others).
- 2.6** The [Local Government Association \(LGA\) issued its response](#) to the draft 2022 – 2023 Local Government Finance Settlement, which helps to outline the funding issues that are being experienced by local government. It is important to note however that the LGA represents those local government authorities as mentioned at 2.2 above and not the voice of town and parish councils, as is the case with NALC.

- 2.7** A vital difference, worth mentioning at this stage, between town and parish councils and the other local government authorities is the precept cap, which town and parish councils are not bound by. The precept cap limits the amount by which other local government authorities can increase their precepts annually as a result of the other means of income available to these authorities, be it direct funding from central government or income generation. It also avoids the risk of 'double taxation' on the public taxpayers.

3. NALC's Position and Survey

- 3.1** It is clear from its website and news updates that for a number of years now, NALC has lobbied central government, on behalf of town and parish councils, arguing that this most local level of government should also be entitled to direct funding from central government for local services provided.

- 3.2** NALC'S view is summarised as follows:

'Prior to the pandemic, NALC had lobbied the government to amend section 33 of the Local Government Act 2003 to enable local councils to be directly funded by central government agencies or departments (depending on the type of funding sought) – on a range of different projects from high streets to parks. For years local councils have either been refused funding by the government or told the best they could hope for was to partner with their principal authority to obtain funding – as government can directly fund principal authorities.'

- 3.3** [NALC's response to the 2017 – 2018 Local Government Finance Settlement](#) provides an example of how long it has been lobbying central government to revisit its opinion on parish funding.

- 3.4** What is less clear is what, if any, impact the proposal for town and parish councils to have access to direct funding would have on their local district or other local government authorities – officers cannot find mention to this so are not able to expand any further on this.

- 3.5** This survey is the latest step taken by NALC in its bid for direct funding and is being launched with the aim of enabling NALC to pull together case studies to help evidence the requirement for access to direct funding.
- 3.6** Therefore, councillors are asked to consider the questions on the survey, and the response Seaford Town Council should make. Particular attention is drawn to Question 11 :
- ‘ Do you think that local Councils should be able to be directly funded by the government to fund certain projects?’
- 3.7** Since the survey was announced, a keen debate had been taking place amongst some of the larger town and parish council clerks, with strong views on both sides. Examples of these are included at Appendix B.

4. Conclusion

- 4.1** From NALC’s perspective and those in support of the proposal, the issue appears to be around town and parish councils not being classed as a ‘local government authority’ for the purposes of direct funding from central government but in reality, with powers of devolution, town and parish councils are taking on services, assets and other responsibilities from the ‘local government authorities’ without access to the same level of direct funding.
- 4.2** Examples of devolved assets within Seaford include; open spaces (The Salts, The Crouch etc), Martello Tower, Seaford Head Golf Course and Nature Reserve, land ownership (and as such, responsibilities) along parts of the seafront, public toilets and more. It is unlikely that the Town Council would routinely be eligible for direct ring-fenced funding towards this service provision (without significant change in the government’s financial policies) but there is the chance that central general funding opportunities could arise that could be applicable towards these devolved services.
- 4.3** The concerns raised against the proposals have largely focussed on the level of restrictions or control that town and parish councils could find themselves subject to if direct funding from central government were available. One example of this being the precept cap which other local government authorities are subject to.

- 4.4** It is hoped that the information within this report and the appended examples will help guide councillors in their careful consideration of the pros and cons of the NALC proposal.

5. Financial Appraisal

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

5 Contact Officer

5.1 The Contact Officers for this report are Adam Chugg, Town Clerk, and Georgia Raeburn, HR & Governance Manager.

HR & Governance Manager	
Town Clerk	

NALC'S Direct Funding Survey

An electronic copy of the survey can be found at:

<https://www.surveymonkey.co.uk/r/CXB6X8V>

Although please note that only one response per council is requested, so councillors are not being asked to complete this themselves.

Alternatively, the introduction to the Survey and the questions can be found below.

Direct Funding Survey

Have your say on direct funding for local councils

For many years the National Association of Local Councils (NALC) has had a policy position that local (parish and town) councils should be able to be directly funded by the government – to deliver projects to benefit residents in their communities.

The COVID-19 pandemic illustrated the value that local councils deliver to their communities and why direct funding is important. Prior to the pandemic, NALC had lobbied the government to amend section 33 of the Local Government Act 2003 to enable local councils to be directly funded by central government agencies or departments (depending on the type of funding sought) – on a range of different projects from high streets to parks.

For years local councils have either been refused funding by the government or told the best they could hope for was to partner with their principal authority to obtain funding – as government can directly fund principal authorities. This pattern became far worse during COVID-19 when very few local councils were able to obtain direct support funding from the government – and only a handful obtained funding via their principal authorities (e.g. Cornwall and Leicestershire).

An evidence base is now being sought and is urgently needed, to prove to the government why local councils need to be able to be directly funded by central government for certain projects. This data gathering is particularly important now as the Levelling Up White Paper indicates a review of neighbourhood governance. NALC's sector partners, county associations, and the Society of Local Councils Clerks (SLCC) are supporting NALC in this work.

NALC will use the results to produce a report with case studies as a tool for the sector to lobby the government on this crucial matter.

The questionnaire will take no more than 10 minutes to complete.

Please respond by no later than 23:45 on 17 May 2022.

Thank you for your continued support and commitment.

1. What is the name of your local council?

2. Please select your county association from the list below.

3. Please tell us the name of your billing (principal) authority here.

4. In which financial range from the below options is your local council's projected annual precept income for the 2022-23 financial year?

- £1 - £25,000
- £25,001 - £100,000
- £100,001 - £250,000
- £250,001 - £500,000
- £500,001 - £750,000
- £750,001 - £1 million
- more than £1 million

5. What is your council's budgeted expenditure for the 2022-23 financial year?

(please select from the ranges below – your council's overall expenditure figure is fine to place in the ranges provided here)

- £1 - £25,000

- £25,001 - £100,000
- £100,001 - £250,000
- £250,001 - £500,000
- £500,001 - £750,000
- £750,001 - £1 million
- more than £1 million

6. What is the electorate size of your council (please select from the below ranges)?

- up to 500 people
- 501 – 1000 people
- 1001 – 5000 people
- 5001 – 10000 people
- 10001 – 25000 people
- 25001 – 50000 people
- more than 50000 people

7. Has your local council ever considered applying for central government funding and been told it could not be directly funded by central government?

- Yes
- No
- Don't know/not applicable

8. Please tell us what type of funding your council was rejected for if it could not be directly funded by central government?

- Sports and leisure
- Public realm
- Parks
- Village halls
- Tourism

9. If you answered yes to question 7, please tell us whether you agree or disagree that if your council had been able to obtain the direct funding for which it was rejected, it would have made a big difference to the project and community?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

10. What have been the consequences for your community of your local council not being able to obtain direct funding for the project it wished to deliver (please choose from the options given below and select all that apply.)

- Asset closure
- Service cessation
- Increase in deprivation levels
- People moving from area
- Reputation of local council plunged
- Other (please specify)

11. Do you think that local councils should be able to be directly funded by the government to deliver certain projects?

- Yes
- No
- Don't know

12. Do you think that NALC and other sector bodies should be lobbying for a direct funding mechanism from central government?

- Yes
- No
- Don't know

13. What will be your biggest liquidity and cash flow challenge in the medium financial term (i.e. next three financial years) caused by the lack of a central government direct funding mechanism for your local council?

- not applicable - we have enough reserves/cash flow
- restricted access to investments
- insufficient general reserve

- loss of operational income
- insufficient council funds
- Other (please specify)

14. Has your local council had services devolved from its principal authority that included physical assets such as land or buildings?

- Yes
- No
- Don't know/not applicable

15. If you answered yes to question 14 please tell us the type of asset transfer made to your local council by its principal authority in the case concerned

- Freehold transfer – where the transfer is usually permanent
- Leasehold transfer – where there is a time limit to the service devolution
- Other (please specify)

16. NALC will be including some short case studies in a publication to cover these survey results – across local council size. In order to help us do this – please write up to 150 words in the box below to tell us how your local council would benefit from a direct funding mechanism from central government, the service area your council would invest in and how residents' lives would improve:

Examples of comments from other town council officers

These are some personal and subjective opinions of individual officers from a number of other town councils. They reflect the strong feelings some hold both for and against their proposals and provide examples for Cllrs of reasons for supporting – or not supporting – the proposals for Direct Funding.

Examples of Views in Favour of ...

Here are some examples of views in favour of this change:

- i. 'To any of us who have complained bitterly about Government Funding not being applicable to parish council, please complete the survey below. i.e. so any council large enough to have wanted to apply to government for a grant but not been able to because funding was only made available to principal authorities. There have been many government grants over the years: for park improvements, for town centre improvements, for tourism, for income losses during Covid, for leisure, for parking losses during Covid, for dealing with deprivation, and for reviving the economy, but none of it was filtered directly through to parish councils, and very little of it came down from district, county or unitary authorities. I've seen numerous complaints but now perhaps this is our chance to make a significant lobby to government through NALC about it. If you feel this practice of government is unfair, and would like to have made application for a government grant only to find out it didn't apply to you, please could you complete the survey below. NALC is desperately trying to find case studies that demonstrate how damaging this practice of ignoring parishes is.'
- ii. 'Whilst I agree that we should never go down the route of receiving a regular income from government, the issue of grant funding is entirely separate. Grant funding is issued by government to organisations such as Sport England, Natural England, UK Cycling, etc. and whilst it may have some significant reporting requirements, it doesn't have long term obligations for those organisations to become central government lackeys. It's simply about spreading money around where the votes are likely to come from. Even some lottery funding is directed by Government, as they advise on criteria for use of lottery funds, making it very hard for parishes to apply for lottery funding. We need a voice saying parish councils count – we are achieving things other

organisations can't. Otherwise all we will be doing is forming lots of trusts and community interest companies, in order to make application for funding which the parish community is screened out of. Think for a moment about those parishes who run leisure centres, theatres, and museums. They got virtually nothing from all the government funding given out during the pandemic, and in many cases lost hundreds of thousands of pounds from lost income. Yet principal authorities were raking it in, with their bottom lines looking very healthy indeed.'

[NB: others disputed this last point and gave examples of Councils who were able to draw down Covid funds. As councillors will be aware, the Town Council was also able to do this itself.]

- iii. 'There is funding we definitely do not want to receive from Central Government. The one that really sticks in the craw was the pot of funding that came out about 8 years ago for park improvement, and was only available for principal authorities, although there is significant evidence that it is parish councils who run most of the parks in England.'
- iv. [with caveats] 'We do have access to some Government funding, and there's some funding that we don't want/need access to. There seem to be examples of some Councils who feel they have been not able to access funds they would wish to bid for....but there are other examples of funding and control we would not want to take on....[for those who want access to direct funding] What funding, to do what with, when, and what checks and balances will we tolerate?'

Examples of Views Against ...

Here are some examples of views against such a change:

- v. 'Be careful what you wish for! Currently the town and parish council sector is almost completely independent of central government. We raise our own funds and spend them -within legal parameters - how we like. Principal councils are micro managed by Whitehall in many ways – I know, I worked for them for 30 years. Their funding comes with lots of strings and requirements for Whitehall approval for spending it, it soon creeps into Whitehall controlling even locally raised council tax funding. I'd say principal authority councillors control at most 10% of their total budgets if not less and if we go down the road of direct

funding our councils will lose their independence and become central government lackeys, submitting everything we do for their approval.'

- vi. 'I agree with the above.'
- vii. 'We can't ask for greater parity with Principal Councils on matters like these without expecting to be subject to the same level of restrictions/control. Campaigns like this must be alert to the potential unintended consequences.'
- viii. 'I agree with the caution expressed with government funding always comes government control.... The strongest feature of parish councils is undoubtedly our independence of operation and decision.'