



TERMS OF REFERENCE THE ALLOTMENTS & CEMETERIES SUB-COMMITTEE.

➤ **DELEGATION FROM THE TOWN COUNCIL:**

These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

➤ **MEMBERSHIP:**

This Sub-Committee shall consist of six Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council.

➤ **PROCEDURES:**

The Sub-Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

At the first meeting of the Sub-Committee after the Annual Meeting of the Town Council, the Sub-Committee shall elect a Chairman (and a Vice-Chairman) for the forthcoming year from amongst the Sub-Committee Membership.

The Sub-Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Sub-Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support for the Committee.

➤ **FREQUENCY OF MEETINGS:**

The Committee shall meet as required.

The Committee shall meet at the Town Council's offices at a date and time to suit the Committee membership.

➤ **COMMITTEE FUNCTIONS:**

The Sub-Committee shall:

Exercise the functions of the Recreation, Leisure & Amenities Committee with reference to the appointment of lay volunteer allotment managers as per the provisions of Section 20 of the Small Holdings and Allotments Act 1908.

Exercise the functions of the Recreation Leisure & Amenities Committee on any finances relating to the provision, management, maintenance, improvement and administration of all allotments under the control of the Town Council, inclusive of the right to report suggestions for finances to be included within the annual estimates for specific schemes of improvement.

Exercise the functions of the Council in relation to the provision, management, maintenance and improvement of the Cemetery that is the responsibility of the Dartford Borough Council within Swanscombe Park.



TERMS OF REFERENCE
THE ALLOTMENTS & CEMETERIES SUB-COMMITTEE.

Exercise the function of the Council in relation to the dead Cemetery within St Peter & St Paul's Church, in particular the maintenance of the Churchyard Wall.

➤ **REFERRED FUNCTIONS:**

As an advisory body to consider any recommendations laid before it by other Committees or the Council, which relate to facilities within the scope of this Committee, not contained within the delegated functions.



TERMS OF REFERENCE THE COMMUNITY SAFETY COMMITTEE.

➤ **DELEGATION FROM THE TOWN COUNCIL:**

These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

➤ **MEMBERSHIP:**

This Committee shall consist of eight Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council.

➤ **PROCEDURES:**

The Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

At the first meeting of the Committee after the Annual Meeting of the Town Council the Committee shall elect a Chairman (and a Vice-Chairman) for the forthcoming year from amongst the Committee membership. The Chairman (and Vice-Chairman) may be re-elected.

The Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support for the Committee.

➤ **FREQUENCY OF MEETINGS:**

The Committee shall meet on a nine weekly cycle on a Wednesday at 7.00pm at the Town Council's offices as agreed at the Annual Meeting, unless otherwise varied by agreement of the Committee.

➤ **COMMITTEE FUNCTIONS:**

To exercise the functions of the Council in working with the Police, the PCSO's and any other authorities, outside groups and agencies to alleviate the problems experienced by the local population with anti-social behaviour, crime, crime prevention and wider public safety issues.

➤ **REFERRED FUNCTIONS:**

As an advisory body to consider any recommendations laid before it by other Committees or the Council, which relate to facilities within the scope of this Committee, not contained within the delegated functions.

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**TERMS OF REFERENCE
THE EXECUTIVE & EMERGENCY COMMITTEE.**

- **DELEGATION FROM THE TOWN COUNCIL:**
These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

- **MEMBERSHIP:**
This Committee shall consist of eight Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council, including the Town Mayor.

- **PROCEDURES:**
The Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

The Town Mayor shall preside at meetings of this Committee.

The Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Clerk to the Council shall provide administrative support for the Committee.

- **FREQUENCY OF MEETINGS:**
The Committee shall meet as required.

The Committee shall meet at the Town Council's offices.

- **COMMITTEE FUNCTIONS:**
The Committee shall:

Exercise any functions of the Council on urgent issues or during the period of recess of the Council save for those functions relating to the setting of an annual rate and issuing of precept, the raising of loans or borrowing of money and the securing of any necessary loan sanctions, and the approval of schemes for local lotteries.

Exercise any functions of the Council on matters specifically delegated to it to decide, save from those exempted from delegation by statute and listed above.

With reference to matters, not more than three Members of this Committee (to be selected by the Chairman of the Executive & Emergency Committee but not necessarily including the Chairman of the Executive & Emergency Committee) to form a Sub-Committee to deal with matters relating to staff disciplinary procedures.

To assist, in an emergency, the population of Swanscombe and Greenhithe in overcoming any extreme or unusual conditions caused by natural or accidental means.

To co-operate with other Agencies, Statutory or Voluntary, to assist in the above.



**TERMS OF REFERENCE
THE EXECUTIVE & EMERGENCY COMMITTEE.**

To enlist the support of any other Organisations or individuals to assist in the above, as may be necessary.

To prepare contingency plans to meet any of the situations as described above.

➤ **REFERRED FUNCTIONS:**

As an advisory body reporting to the Council on any matters it has been specifically instructed to investigate.



TERMS OF REFERENCE
THE FINANCE & GENERAL PURPOSES COMMITTEE.

- **DELEGATION FROM THE COUNCIL:**
These Terms of Reference were agreed by the Town Council at its meeting on 16 May 2019.

- **MEMBERSHIP:**
The Committee shall consist of eight Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council.

- **PROCEDURES:**
The Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

At the first meeting of the Committee after the Annual Meeting of the Town Council the Committee shall elect a Chairman (and a Vice-Chairman) for the forthcoming year from amongst the Committee membership. The Chairman (and Vice-Chairman) may be re-elected.

The Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support for the Committee.

- **FREQUENCY OF MEETINGS:**
The Committee shall meet on a nine weekly cycle on a Thursday at 7.00pm at the Town Council's office as agreed at the Annual Meeting, unless otherwise varied by agreement of the Committee.

- **COMMITTEE FUNCTIONS:**
To exercise the functions of the Council in expending any finances allocated to it by the Council in the annual estimates or otherwise in the area of footway and footpath lighting, footpaths, car parks and donations to local organisations or individuals or other bodies ~~under Section 137 of the Local Government Act 1972.~~

To exercise the functions of the Council in the examination of all accounts submitted for payment and the collection of sums due to the Council.

To exercise the functions of the Council in the examination of any parochial charity accounts submitted to the Council under those provisions contained within Section 32 of the Charities Act 1960 as amended.



TERMS OF REFERENCE
THE FINANCE & GENERAL PURPOSES COMMITTEE.

➤ **REFERRED FUNCTIONS:**

As an advisory body to consider and report to the Council on all finances not specifically allocated to other Committees including those finances contained within the balances and investment accounts.

As an advisory body to consider and report to Council, estimates for the making of the annual rate and precept issued, the raising of loans or borrowing money and securing of any necessary loan sanctions and the approval of schemes for local lotteries.

As an advisory body to consider any recommendations laid before it by other Committees or the Council, which relate to facilities or areas within the scope of this Committee not contained within the delegated functions printed above.

As an advisory body to consider any recommendations specifically put to it by other Committees in relation to their expenditure and consider and report upon any matters not specifically allocated to other Committees.



TERMS OF REFERENCE HERITAGE SUB-COMMITTEE.

➤ **DELEGATION FROM THE TOWN COUNCIL:**

These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

➤ **MEMBERSHIP:**

This Sub-Committee shall consist of six Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council.

➤ **PROCEDURES:**

The Sub-Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

The Sub-Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Sub-Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support to the Committee.

➤ **FREQUENCY OF MEETINGS:**

The Sub-Committee shall meet as required.

The Sub-Committee shall meet at the Town Council's offices at a date and time to suit the Committee membership.

➤ **COMMITTEE FUNCTIONS:**

The Sub-Committee shall:

Exercise the functions of the Recreation, Leisure & Amenities Committee with all matters relating to Heritage within the Town.

Exercise the functions of the Recreation, Leisure & Amenities Committee in controlling the operation and provision of the facilities in relation to the Heritage Park / Skull Site.

➤ **REFERRED FUNCTIONS:**

As an advisory body to consider any recommendations laid before it by other Committees or the Council, which relate to facilities within the scope of this Committee, not contained within the delegated functions.

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TERMS OF REFERENCE SCOPE OF INTERNAL AUDIT

- **DELEGATION FROM THE COUNCIL:**
These Terms of Reference were reviewed by the Town Council at its meeting on 16 May 2019.
- **MEMBERSHIP:**
N/A.
- **PROCEDURES:**
The council will determine the scope and coverage of the work to be carried out by internal audit in accordance with proper practices guidance. Internal audit testing of controls will be sufficient for the proper completion of the annual internal audit report. The annual internal audit report should provide an adequate level of assurance for the council to complete assertions 2 and 6 in its annual governance statement.

In completing the annual return at section 4 of the annual return, internal audit will have planned and carried out the work necessary to give the assurances called for. The ten key control tests in the annual report represent the minimum level of internal audit coverage required. Additional testing and reporting should be tailored to local circumstances.

Internal audit work always requires the application of judgement and should only be carried out following risk assessment. The scope and frequency of testing should reflect that assessment, and therefore should always be in proportion to the likelihood of fraud, error or misstatement that could occur. It should be directly related to the size and level of business activity of the council.

The following schedule provides an approach to the testing of key internal controls to provide assurance that the minimum level of coverage has been met.



**TERMS OF REFERENCE
SCOPE OF INTERNAL AUDIT**

Internal control	Suggested testing
Proper bookkeeping	<ul style="list-style-type: none">• Is the cash book maintained and up to date?• Is the cashbook arithmetic correct?• Is the cashbook regularly balanced?
a) Standing orders and financial regulations adopted and applied; and b) payment controls	<ul style="list-style-type: none">• Has the council formally adopted standing orders and financial regulations?• Has the Responsible Financial Officer been appointed with specific duties?• Have items or services above the de minimus amount been competitively purchased?• Are payments in the cashbook supported by invoices authorised and minuted?• Has VAT on payments been identified, recorded and reclaimed?• Is s137 expenditure separately recorded and within statutory limits.
Risk Management arrangements	<ul style="list-style-type: none">• Does a review of the minutes identify any unusual financial activity?• Do minutes record the council carrying out an annual risk assessment?• Is insurance cover appropriate and adequate?• Are internal financial controls documented and regularly reviewed?
Budgetary controls	<ul style="list-style-type: none">• Has the council prepared an annual budget in support of its precept?• Is actual expenditure against the budget regularly reported to the council?• Are there any significant unexplained variances from the budget?
Income Controls	<ul style="list-style-type: none">• Is income properly recorded and promptly banked?• Does the precept recorded agree to the Council Tax authority notification?• Are security controls over cash and near-cash adequate and effective?
Petty cash procedures	<ul style="list-style-type: none">• Is all petty cash spent recorded and supported by VAT invoices/receipts?• Is petty cash expenditure reported to each council meeting?• Is petty cash reimbursement carried out regularly?



**TERMS OF REFERENCE
SCOPE OF INTERNAL AUDIT**

Payroll Controls	<ul style="list-style-type: none">• Do all employees have contracts of employment with clear terms and conditions?• Do salaries paid agree with those approved by the council?• Are other payments to employees reasonable and approved by the council?• Have PAYE/NIC been properly operated by the council as an employer?
Asset Controls	<ul style="list-style-type: none">• Does the council maintain a register of all material assets owned or in its care?• Are the assets and investments registers up to date?• Do asset insurance valuations agree with those in the asset register?
Bank reconciliation	<ul style="list-style-type: none">• Is there a bank reconciliation for each account?• Is the bank reconciliation carried out regularly and in a timely fashion?• Are there any unexplained balance entries in any reconciliation?• Is the value of investments held summarised on the reconciliation?
Year-end procedures	<ul style="list-style-type: none">• Are year-end accounts prepared on the correct accounting basis (ie receipts and payments or income and expenditure)?• Do accounts agree with the cashbook?• Is there an audit trail from underlying financial records to the accounts?• Where appropriate, have debtors and creditors been properly recorded?

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**TERMS OF REFERENCE
THE LEASES & LEGAL SUB-COMMITTEE.**

➤ **DELEGATION FROM THE TOWN COUNCIL:**

These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

➤ **MEMBERSHIP:**

This Sub-Committee shall consist of six Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council.

➤ **PROCEDURES:**

The Sub-Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

The Sub-Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Sub-Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support for the Committee.

➤ **FREQUENCY OF MEETINGS:**

The Sub-Committee shall meet as required.

The Sub-Committee shall meet at the Town Council's offices at a date and time to suit the Committee membership.

➤ **COMMITTEE FUNCTIONS:**

The Sub-Committee shall:

Exercise the functions of the Council in negotiating all items in relation to leases and their terms on Town Council property, apart from the setting of rent, as appropriately decided by the parent Committee.

Exercise the functions of the Council in dealing with all items in relation to legal matters laid before it, as appropriately decided by the parent Committee.

➤ **REFERRED FUNCTIONS:**

As an advisory body to consider any recommendations laid before it by other Committees or the Council, which relate to facilities within the scope of this Committee, not contained within the delegated functions.

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TERMS OF REFERENCE THE PERSONNEL COMMITTEE.

➤ **DELEGATION FROM THE TOWN COUNCIL:**

These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

➤ **MEMBERSHIP:**

This Committee shall consist of seven Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council, including the Town Mayor.

➤ **PROCEDURES:**

The Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

The Town Mayor shall preside at meetings of this Committee.

The Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Clerk to the Council shall provide administrative support for the Committee.

➤ **FREQUENCY OF MEETINGS:**

The Committee shall meet in April/May and October each year and as required throughout the remainder of the year

The Committee shall meet at the Council Offices, The Grove, Swanscombe at a time suitable to Members of the Committee.

➤ **COMMITTEE FUNCTIONS:**

The Committee shall:

Exercise any functions of the Council in relation to personnel matters, with the exception of disciplinary procedures, apart from Stage 1- Formal Oral Warnings.

Formation of Interview Panels to be made up of the following:

- Town Mayor or Deputy Town Mayor;
- Appropriate Chairman of main committee;
- Town Clerk or Responsible Financial Officer (RFO).

Exercise functions of the Council on the question of levels of pay and salary settlements for all staff employed by the Council.

Exercise functions of the Council in relation to any the Local Government Pension Scheme it administers.



**TERMS OF REFERENCE
THE PERSONNEL COMMITTEE.**

Exercise functions of the Council in relation to staff health and safety and risk assessments.

Exercise functions of the Council in determining staff disciplinary and grievance procedures, assaults on staff and any other personnel legislation required.

➤ **REFERRED FUNCTIONS:**

As an advisory body reporting to the Council on any matters it has been specifically instructed to investigate.



TERMS OF REFERENCE
THE PLANNING, MAJOR DEVELOPMENTS, TRANSPORTATION & ENVIRONMENT COMMITTEE.

➤ **DELEGATION FROM THE TOWN COUNCIL:**

These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

➤ **MEMBERSHIP:**

This Committee shall consist of eight Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Parish Council. The Committee may also consist of outside bodies or local authority representatives as deemed necessary in an advisory capacity.

➤ **PROCEDURES:**

The Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

At the first meeting of the Committee after the Annual Meeting of the Town Council the Committee shall elect a Chairman (and a Vice-Chairman) for the forthcoming year from amongst the Committee membership. The Chairman (and Vice-Chairman) may be re-elected.

The Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support for the Committee.

➤ **FREQUENCY OF MEETINGS:**

The schedule of meetings shall be agreed at the Annual Meeting of the Town Council.

The Committee shall meet on a three weekly cycle on a Wednesday at 7.00pm at the Town Council's offices, unless varied by the agreement of the Committee.

➤ **COMMITTEE FUNCTIONS:**

The Committee shall:

Decide the Town Council's responses on consultations on planning applications from Dartford Borough Council, Ebbsfleet Development Corporation, Gravesham Borough Council (where applications fall into the Swanscombe Boundary) and from the County Council.

Make recommendations to the Council on statutory and non-statutory planning policy documents.

Select from its membership a person, or persons, to represent the Council at site meetings, public enquiries, etc to represent the Council's previously agreed views.



TERMS OF REFERENCE
THE PLANNING, MAJOR DEVELOPMENTS, TRANSPORTATION &
ENVIRONMENT COMMITTEE.

To deal with any items relating to transportation and environmental issues affecting the area and invite outside organisations to meetings to address issues highlighted. To lobby outside organisations on behalf of the Council to improve matters relating to transport and the environment.

Decide the Town Council's responses on consultations on major developments affecting the parish from Dartford Borough Council, Ebbsfleet Development Corporation, Gravesham Borough Council and from the County Council.

Exercise the functions of the Council in meeting with developers to negotiate planning gain for the community through the Regeneration & Quality Sub-Committee.

➤ **REFERRED FUNCTIONS:**

As an advisory body to consider any recommendations laid before it by other Committees or the Council which relate to planning, transportation and the environment within the scope of this Committee not contained with the delegated functions of the Committee.



TERMS OF REFERENCE REGENERATION & QUALITY SUB-COMMITTEE.

➤ **DELEGATION FROM THE TOWN COUNCIL:**

These Terms of Reference were agreed by the Town Council at its Meeting on 16 May 2019.

➤ **MEMBERSHIP:**

This Sub-Committee shall consist of six Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council, including the Town Mayor.

➤ **PROCEDURES:**

The Sub-Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

The Sub-Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Sub-Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support for the Committee.

➤ **FREQUENCY OF MEETINGS:**

The Sub-Committee shall meet as required.

The Sub-Committee shall meet at the Town Council's offices at a date and time to suit the Committee membership.

➤ **COMMITTEE FUNCTIONS:**

The Sub-Committee shall:

Exercise the functions of the Council in creating links with outside organisations and creating working partnerships to assist the Council in the area regeneration of Swanscombe and Greenhithe (*minute 197/16-17 Town Council 13 Oct 2016*).

Exercise the functions of the Council in obtaining Local Council Award Scheme Accreditation and all matters involved in achieving this.

Exercise the functions of the Council in meeting with developers to negotiate planning gain for the community (*minute 11/17-18 AGM 18 May 2017*).

➤ **REFERRED FUNCTIONS:**

As an advisory body to consider any recommendations laid before it by other Committees or the Council, which relate to facilities within the scope of this Committee, not contained within the delegated functions.

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TERMS OF REFERENCE
THE RECREATION, LEISURE AND AMENITIES COMMITTEE.

➤ **DELEGATION FROM THE COUNCIL:**

These Terms of Reference were agreed by the Town Council at its meeting on 16 May 2019.

➤ **MEMBERSHIP:**

The Committee shall consist of eight Councillors who shall be elected, and may be re-elected, each year at the Annual Meeting of the Town Council.

➤ **PROCEDURES:**

The Committee will operate in accordance with Local Government Law (and in accordance with Standing Orders).

At the first meeting of the Committee after the Annual Meeting of the Town Council the Committee shall elect a Chairman (and a Vice-Chairman) for the forthcoming year from amongst the Committee membership. The Chairman (and Vice-Chairman) may be re-elected.

The Committee will submit its minutes of meetings for ratification to the next meeting of the Town Council.

The Committee will submit a budget to the Council for the forthcoming financial year at the appropriate meeting before the end of November.

The Clerk to the Council shall provide administrative support for the Committee.

➤ **FREQUENCY OF MEETINGS:**

The Committee shall meet on a nine weekly cycle on a Thursday at 7.00pm at the Town Council's office as agreed at the Annual Meeting, unless otherwise varied by agreement of the Committee.

➤ **COMMITTEE FUNCTIONS:**

To expend any finances allocated to it by the Council within the annual estimates or otherwise in the area of recreation grounds, parks, open spaces, playgrounds, allotments, sporting facilities, recreational facilities, community halls and leisure centres.

To exercise the functions of the Council in controlling the operation and provision of facilities in relation to recreation grounds, parks, open spaces, playgrounds, allotments, sporting facilities, community halls and the Swanscombe Centre and the Old Fire Station Community Cafe. To liaise with the Manager of the Swanscombe Centre as determined in the Management Agreement dated 12 July 2004 (re-newed 2014).

To make representation to the Council in relation to the annual estimates in respect of expenditure.



TERMS OF REFERENCE
THE RECREATION, LEISURE AND AMENITIES COMMITTEE.

To liaise as required with other Committees and staff of the Council, outside bodies and persons on any aspects of joint responsibility.

To liaise with the Town Clerk on aspects of leisure centre management as they affect the general administration of the Town Council.

➤ **REFERRED FUNCTIONS:**

To act as an advisory body considering any recommendations laid before it by other Committees or the Council which relates to facilities or areas within the scope of this Committee not contained within the delegated functions of this Committee.

DATES OF MEETINGS 2019 - 2020

CSC	F & G P	R & L A	TOWN COUNCIL	P, MD, T & E
10 July 2019	13 June 2019	20 June 2019	4 July 2019	12 June 2019
2 Oct 2019	5 Sept 2019	19 Sept 2019	10 Oct 2019	3 July 2019
4 Dec 2019	31 Oct 2019	21 Nov 2019	12 Dec 2019	4 Sept 2019
12 Feb 2020	9 Jan 2020 **	30 Jan 2020	13 Feb 2020	25 Sept 2019
15 April 2020	5 March 2020	19 March 2020	23 April 2020	16 Oct 2019
				6 Nov 2019
** Special Town Council after FGP				27 Nov 2019
				18 Dec 2019
				15 Jan 2020
CSC	Community Safety Committee			5 Feb 2020
F&GP	Finance and General Purposes Committee			26 Feb 2020
RSLA	Recreation, Leisure & Amenities Committee			18 March 2020
P, MD, T & E	Planning, Major Developments, Transportation & the Environment Committee			8 April 2020
				29 April 2020

7 May 2020 - Annual Open Town Meeting
14 May 2020 - Annual General Meeting

Meetings of the following Committees to be arranged as and when required:

Executive & Emergency Committee
 Personnel Committee (March/October)

Meetings of the following Sub-Committees to be arranged as and when required:

Heritage
 Allotments / Cemeteries
 Leases & Legal
 Regeneration & Quality



SWANSCOMBE AND GREENHITHE TOWN COUNCIL

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AGENDA ITEM 13

AGM 16/5/19

ANNUAL GENERAL MEETING
16 MAY 2019

BANK SIGNATORIES

Current Account <i>(2 x Members plus Town Clerk or ATC/RFO)</i>		Town Mayor's Charity Account
1. Cllr Mrs S P Butterfill		1. Town Clerk
2. Cllr Ms L M Cross		2. Assistant Town Clerk/ RFO.
3. Cllr P M Harman		
4. Vacancy		
5. Vacancy		
6. Vacancy		

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TOWN COUNCIL
25 APRIL 2019

MINUTES of the MEETING of the SWANSCOMBE & GREENHITHE TOWN COUNCIL held at THE COUNCIL OFFICES, THE GROVE, SWANSCOMBE on THURSDAY 25 APRIL 2019 at 7.00 PM

PRESENT:

Councillor Mrs A E D Barham – Town Mayor
Councillor P M Harman – Deputy Town Mayor
Councillor K G Basson
Councillor Mrs S P Butterfill
Councillor Ms L M Cross
Councillor Ms L M Hall
Councillor Dr J M Harman
Councillor P C Harris
Councillor J A Hayes
Councillor Ms L G Howes
Councillor R J Lees
Councillor D J Mote
Councillor B R Parry
Councillor S J Ryan

ALSO PRESENT:

Graham Blew – Town Clerk
Martin Harding – Assistant Town Clerk/RFO

ABSENT:

Councillor K M Kelly
Councillor Mrs M B Kelly
Councillor A S Reach

59118-19. ARRANGEMENTS AND CONSTRAINTS REGARDING FILMING OR RECORDING THE MEETING.

The Town Mayor explained the arrangements and constraints relating to the filming or recording of the meeting.

592/18-19. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors B E Read and Mrs I A Read.

An apology for lateness was received from Councillor Dr J M Harman.

593/18-19. DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA.

There were none.

The Chairman gave the opportunity for the meeting to be adjourned at this point to accept questions from the public.

594/18-19. **MINUTES OF THE MEETING HELD ON 14 FEBRUARY 2019.**

RESOLVED:

That the Minutes of the Meeting held on 14 February 2019 be confirmed and signed as a true record.

595/18-19. **ITEMS DEEMED URGENT BY THE CHAIRMAN / MATTERS ARISING FROM PREVIOUS MINUTES AND THEIR POSITION ON THE AGENDA.**

There were none.

596/18-19. **MINUTES OF THE PLANNING, MAJOR DEVELOPMENTS, TRANSPORTATION AND THE ENVIRONMENT COMMITTEE MEETINGS HELD ON 27 FEBRUARY 2019, 20 MARCH 2019 AND 10 APRIL 2019.**

RESOLVED:

That the Minutes of the Planning, Major Developments, Transportation & Environment Committee Meetings held on 27 February 2019, 20 March 2019 and 10 April 2019 be confirmed and the recommendations made therein be adopted.

597/18-19. **MINUTES OF THE RECREATION, LEISURE & AMENITIES COMMITTEE MEETING HELD ON 21 MARCH 2019.**

RESOLVED:

That the Minutes of the Recreation, Leisure & Amenities Committee Meeting held on 21 March 2019 be confirmed and the recommendations made therein be adopted.

598/18-19. **MINUTES OF THE FINANCE & GENERAL PURPOSES COMMITTEE MEETING HELD ON 6 MARCH 2019.**

RESOLVED:

That the Minutes of the Finance & General Purposes Committee Meeting held on 6 March 2019 be confirmed and the recommendations made therein be adopted.

599/18-19. **MINUTES OF THE COMMUNITY-SAFETY COMMITTEE MEETING HELD ON 13 FEBRUARY 2019.**

RESOLVED:

That the minutes of the Community Safety Committee meeting held 13 February 2019 be confirmed and the recommendations made therein be adopted.

600/18-19. MINUTES OF THE PERSONNEL COMMITTEE MEETING HELD ON 2 APRIL 2019.

RESOLVED:

That the minutes of the Personnel Committee meeting held on 2 April 2019 be confirmed and the recommendations made therein be adopted.

601/18-19. MINUTES OF THE HERITAGE SUB-COMMITTEE MEETING HELD ON 2 APRIL 2019.

RESOLVED:

That the minutes of the Heritage Sub - Committee meeting held 2 April 2019 be confirmed and the recommendations made therein be adopted.

602/18-19. MINUTES OF THE LEASES & LEASES SUB-COMMITTEE MEETING HELD ON 21 MARCH 2019.

RESOLVED:

That the minutes of the Leases & Legal Sub - Committee meeting held 21 March 2019 be confirmed and the recommendations made therein be adopted.

603/18-19. GENERAL DATA PROTECTION REGULATIONS (GDPR).

As a result of the appointment of a new Data Protection Officer (DPO) (minute 479/18-19) a Data Audit was undertaken on 4 March 2019. From this audit the new DPO produced the following documents/policies which were in addition to those already in place, and recommended that these were adopted to ensure the Town Council complied with all the current legislation relating to GDPR:

- A. Breach Notification Policy
- B. Subject Access Request Policy
- C. Data Protection Training Policy
- D. Data Retention and Disposal Policy

Members asked that the following sections of the Data Retention and Disposal Policy be amended to include:

- 8. Disposal of Documentation – To include Councillors disposal or return of confidential documentation.
- 9.5. Retention – To include Councillors being dealt with under the Code of Conduct.

RESOLVED:

That the Policies, as listed, be adopted to include the amendments detailed.

604/18-19. PARISH MEMBER ALLOWANCES.

The Financial Services Manager (Dartford Borough Council) had written advising of the DBC Independent Remuneration Panel's (IRP) recommendations. As highlighted in the papers any recommendations were up to Parish and Town Council's to consider and they did not need to be followed.

During the discussion members requested that the Town Mayors Allowance be reviewed in line with the budget setting timetable for the next financial year.

After discussion it was agreed;

RESOLVED:

1. That The Town Council continues as it is and does not pay a members allowance or travel and subsistence allowances for members.
2. That the current Town Mayors Allowance be re-named Civic Budget to better reflect its use.

605/18-19. REVIEW OF DEPOSITS REQUIRED FOR COMMUNITY HALL HIRES.

Members were asked to consider reviewing the current deposit arrangements for the hire of the Town Councils Community Halls along with a recommendation going forward.

Members discussed the issues being encountered with some bookings and agreed;

RESOLVED:

1. That the normal cash refundable deposit for hall hires be increased to £150.00.
2. That the proposed deposit levels, contained in the report, for Community Hall hires be adopted.
3. If the issues continued then the possibility of limiting the amount of hours available for hall hires be reviewed.

606/18-19. INTERIM INTERNAL AUDITORS REPORT

The Internal Auditor completed the interim audit of the Town Council's records for 2018 – 2019 on 13 February 2019 and members were provided with his report.

In noting the report members agreed that future minutes regarding setting the precept should only "note" the Council Tax Base rather than "set" the Council Tax Base.

RESOLVED:

That the item be noted.

607/18-19. INSURANCE CLAIM/S – UPDATE.

The following claim/s had now been settled:-

- a) Claim Ref: 27180000779 – ASB damage to notice board at Knockhall, this claim incurred a £100.00 excess.

RESOLVED:

That the item be noted.

608/18-19. KENT ASSOCIATION OF LOCAL COUNCILS (KALC) – PARISH NEWS.

Members were supplied with the February 2019 issue of the Parish News.

RESOLVED:

That the item be noted

609/18-19. STAFF / MEMBER TRAINING - UPDATE.

Members were informed that the following training had been booked/undertaken:-

Town Clerk	Code of Conduct – Dartford Borough Council	14 May 2019 – DBC
Town Clerk	Regional Training Seminar – Society of Local Council Clerks	26 June 2019 - Ashford

Members were advised that KALC held training sessions for newly elected, and continuing, members and that these were very useful and worth attending.

The Town Clerk advised members that Dartford Borough Council would also be holding x4 training opportunities/sessions in May for the Code of Conduct and that these were mandatory.

RESOLVED:

That the item be noted.

610/18-19. REPORTS OF OUTSIDE REPRESENTATIVES.

Members were advised that this item provided an opportunity for Members' appointed as representatives on outside bodies to provide a report at the meeting.

Dartford Children's Centre (DCC).

Councillor Mrs S P Butterfill is the Council's representative on the DCC. As previously agreed the minutes for the 31 January 2019 meeting were available in the Chamber for inspection.

Castle Hill/Eastern Quarry Community Liaison Group (CHEQCLG).

Councillor P M Harman is the Town Council's representative on the CHEQCLG. As previously agreed the agenda and minutes from the 26 February 2019 meeting were available in the Chamber for inspection.

Elders Forum

Councillor Ms L C Howes is the Town Council representative on the EF. As previously agreed the agenda from the 15 March 2019 meeting was available in the Chamber for inspection. Councillor Ms L M Cross had substituted at the last EF and gave a verbal update.

Borough and Parish Forum (DBC) (BPF)

The Town Mayor and the Town Clerk are the Town Council's representatives on the BPF. As previously agreed the agenda for the 9 April 2019 meeting was available in the Chamber for inspection. The Deputy Town Mayor had substituted for the Town Clerk at the last BPF and gave a verbal update.

North West Kent Volunteer Centre (NWKVC).

Councillor Mrs S P Butterfill is the Town Council's representative on the NWKVC and she gave a verbal update which included that a new Chief Executive had been recruited and was in place.

Bluewater Forum (BF)

The Town Mayor is the Town Council's representative on the BF. Councillor Ms L M Cross had attended the last BF meeting and gave a verbal update which included that the UK was the 7th highest country on the list for modern slavery.

Ingress Park (Greenhithe) Management Limited (IPGM).

IPGM had indicated that, although unable to provide documentation, they would like to submit verbal updates to the Town Council.

Councillors' P M Harman and P C Harris are the Council's representatives on IPGM.

Members were informed that at the February meeting the Chairman had announced his retirement and that a new Chairman (P C Harris) had been selected. The AGM had taken place on 16 April 2019 with 25 people attending and the Resident Director (Mrs S P Butterfill) had been re-elected.

612/18-19. REPORT FROM KENT COUNTY COUNCILLOR.

Kent County Councillor P M Harman gave an update which included:

That the last full Council meeting had taken place on 21 March 2019;
Brexit was an enormous issue for KCC with vast amounts of money being spent;
The newly introduced recycling charges were causing great concern with the public and there was a real fear that this would result in increased fly-tipping which, in turn, would result in the Borough Council incurring increased costs in clearing.

RESOLVED:

That the item be noted.

613/18-19. REPORT FROM DARTFORD BOROUGH COUNCILLORS.

The Dartford Borough Councillors on the Town Council reported on the following matters:

The scheduled General Assembly of the Council meeting had been cancelled due to a lack of business;
A number of community events were planned or had taken place which included: Easter Egg Hunt; St Georges Day parade; Open Air Cinemas and Theatre in Central Park; Bandstand Programme in Central Park.

RESOLVED:

That the item be noted.

614/18-19. SEALING OF DOCUMENTS.

There were none.

615/18-19. TOWN MAYOR'S ANNOUNCEMENTS.

The Town Mayor thanked all members for their support during her term of office and advised that the Civic Night, 6 April 2019, had been a huge success with over 100 people attending the event with the Zest Academy of Dancing having received very complimentary feedback for their performance.

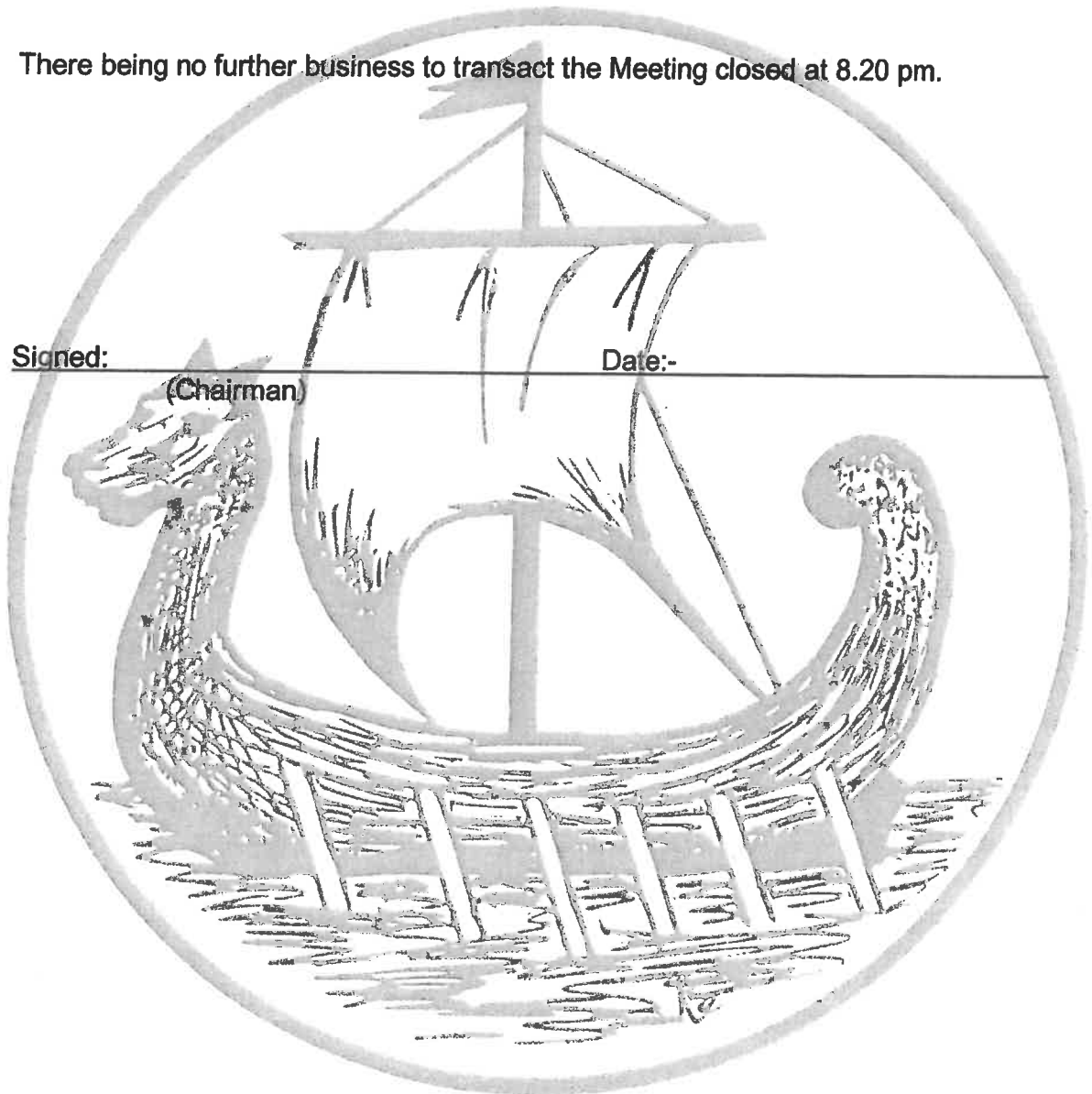
Members acknowledged the enthusiastic manner in which the Town Mayor had undertaken her term of office and congratulated her on the success of the events that she had put on and the large amount of funds she had raised for local organisations.

The Town Mayor asked that those members not standing for election on 2 May 2019 be thanked for their contributions during their times of office and wished everyone taking part in the elections the best of luck.

616/18-19. **QUESTIONS.**

Members were informed that questions did not form part of the Meeting; they were merely the opportunity for Members to exchange information.

There being no further business to transact the Meeting closed at 8.20 pm.



Signed:

(Chairman)

Date:-

(This Action Plan was reviewed by the full Council at its AGM held on 17 May 2018, minute 17/18-19)

1. Introduction

Swanscombe and Greenhithe Town Council constantly strives to work on behalf of parishioners on the issues that matter to the entire community of Swanscombe and Greenhithe.

Listed below is our current schedule of activity; this is regularly reviewed and updated as projects finish and priorities change.

2. Action Plan

Actions 2019-20 Financial Year

- Management of additional community meeting space;
- Introducing new equipment within parks and play areas;
- Upgrade of benches and bins throughout the Town;
- Enhancing conservation areas and features within the Towns open spaces;
- Investment in youth services and opportunities.

On-Going Actions

- Maintain approximately 64 acres of open space including:
 - 3 full size football pitches
 - 3 mini football pitches
 - 1 cricket square
 - 2 outdoor tennis courts
 - 2 outdoor bowls greens
 - 1 outdoor basketball facility
 - 8 children's play areas
 - Swanscombe Skull Site (SSSI)
- Maintain and book 3 community halls;
- Provide programme of Children's Summer Entertainment;
- Provide grant/funding scheme for local organisations;
- Operate Swanscombe and Greenhithe Recognition Award;
- Provide Swanscombe & Greenhithe 'In Bloom';
- Provision of "Summer of Sports" and "Skills Tester Days";
- Provide open air cinema events within the Town;
- Partnership in provision of Community Worker for Swanscombe and Greenhithe;
- Maintain 3 car parks providing 163 spaces;
- Oversee 4 allotments sites with 88 plots;
- Manage and operate the Community Café;
- Continue to provide the existing 37 litter and 23 dog waste bins;
- Maintain 32 LED street lights/columns;
- Provide festive lights in both Swanscombe and Greenhithe High Streets;
- Maintain both the memorial within Swanscombe Park and the churchyard and surrounding wall at St Peters & St Pauls Church;
- Represent the Town at meetings with outside bodies.

SWANSCOMBE AND GREENHITHE TOWN COUNCIL
ACTION PLAN 2019-20.

Future Actions for Consideration

- Review the operation of all facilities
- Liaise with developers to ensure local facilities meet needs



SWANSCOMBE AND GREENHITHE TOWN COUNCIL

STANDING ORDERS

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These Standing Orders were reviewed and adopted by the Town Council at the Annual General Meeting held on 17 May 2018 and recorded as Minute No. 18/18-19.

PREFACE

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. These Standing Orders cannot be altered.

TOWN MAYORS

The Chairman of a Town Council is entitled to use the title "Town Mayor". The title confers no additional powers on the chairman, and in particular, has no implications for his conduct in meetings.

1. MEETINGS OF THE TOWN COUNCIL.

- a) Meetings of the Town Council shall be held at the Council's offices in each year on such dates and times and at such place as the Council may direct. **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- b) Smoking is not permitted at any meeting of the Council. All Council properties are No Smoking Areas.
- c) Mobile phones must be switched to silent, during all Meetings of the Council, committees and sub-committees.
- d) **Three clear days before a Meeting of the Town Council (not including the day of issue, the meeting day, a Sunday, a day of the Christmas Break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning):**
 - i) **Notice of the time and place of the Meeting shall be published at the Council's offices, which is signed by the Town Clerk, specifying the business proposed to be transacted thereat (usually in the form of an Agenda);**
 - ii) **Where a meeting is called by councillors', the Notice will be signed by those members, specifying the business proposed to be transacted thereat;**
 - iii) **The summons to attend a Meeting specifying the business to be transacted at the meeting and certified by the proper officer of the Council, shall be sent to every member of the council by an appropriate method.**
- e) Except in the case of business required by or under the Local Government Act 1972 or any other Act to be transacted at the Annual Meeting and other business brought before that Meeting as a matter of urgency in accordance with the Town Council's Standing Orders, no business shall be transacted at the Meeting other than that specified in the summons relating thereto.

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- f) The minutes of a meeting shall record the names of councillors present and absent.
- g) All members are required to submit apologies for absence prior to the beginning of the meeting they refer to.

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2. THE STATUTORY ANNUAL MEETING.

- a) In an election year the Annual General Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and;
- b) In a year, which is not an election year, the Annual General Council Meeting shall be held on any such day in May as the Council may direct (decided at the previous Annual Meeting).
- c) In an election year, if a Member(s) are unable to return their Declaration of Acceptance of Office at the Annual General Council Meeting then the Council will need to accept that it/they can be submitted at a later date.
- d) In addition to the Statutory Annual Town Council Meeting, at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

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3. CHAIRMAN OF THE MEETING OF THE TOWN COUNCIL.

- a) The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- b) Subject to standing orders which indicate otherwise, anything authorized or required to be done by, to or before the Chairman may, in their absence be done by, to or before the Vice – Chairman (if any).

4. PROPER OFFICER.

Where a statute, regulation or order confers function or duties on the Proper Officer of the Council in the following cases, he shall be the clerk or nominated officer: -

- a) To receive declarations of acceptance of office;
- b) To receive and record notices disclosing interests at meetings;
- c) To receive and retain plans and documents;
- d) To sign notices or other documents on behalf of the Council;
- e) **To receive copies of by-laws made by another local authority;**
- f) To certify copies of by-laws made by the Council;
- g) **To sign and issue the summons to attend meetings of the Council;**

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- h) To keep proper records for all Council meetings;
- i) **To facilitate inspection of the minute book by local government electors.**

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5. QUORUM OF THE COUNCIL.

Three Members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

- a) If a quorum is not present when the Council meets, a maximum period of 10 minutes, from the advertised start time of the meeting, can be allowed in an effort to obtain a quorum.
- b) If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.
- c) The quorum of a sub-committee shall be one half of its members.

6. VOTING.

- a) **All questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- b) **Voting on any question shall be by a show of hands, or, if at least two Members so request, by signed ballot. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request must be made before moving on to the next business.
- c) **Subject to (i) and (ii) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
 - (i) **If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the Membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.**
 - (ii) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

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7. ORDER OF BUSINESS.

- a) **At each Annual Town Council Meeting the first business shall be:**
 - i) **To elect a Town Mayor of the Council;**
 - ii) **To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received;**

- iii) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations;
- iv) **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received;**
- v) To elect a Deputy Town Mayor of the Council;
- vi) To receive the Deputy Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received;
- vii) To appoint memberships of committees and sub-committees;
- viii) To appoint representatives to outside bodies;
- ix) To inspect any deeds and trust investments in the custody of the Council as required;

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and shall thereafter follow the order set out in para (c) below;

- b) **At every meeting other than the Annual Town Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
- c) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
 - i) To read and consider the Minutes; provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read;
 - ii) After consideration to approve the signature of the Minutes by the person presiding as a correct record;
 - iii) **To deal with business expressly required by statute to be done;**
 - iv) To dispose of business, if any, remaining from the last meeting.
 - v) If necessary, to authorise the signing of orders for payment.
 - vi) To receive and consider reports and minutes of committees.
 - vii) To receive and consider resolutions or recommendations in the order in which they have been notified.
 - viii) To consider correspondence received by Council.
 - ix) To authorise the sealing of documents.
 - x) To answer questions from councillors.

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8. URGENT BUSINESS.

A motion to vary the order of business on the grounds of urgency:

- a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and

- b) Shall be put to the vote without discussion.

9. RESOLUTIONS MOVED ON NOTICE.

- a) Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least five clear working days before the next meeting of the Council.
- b) The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- c) The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- d) If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other Member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- e) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- f) Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

10. RESOLUTIONS MOVED WITHOUT NOTICE.

Resolutions dealing with the following matters may be moved without notice:

- a) To appoint a Chairman of the meeting.
- b) To approve the absences of councillors.
- c) To approve the accuracy of the minutes of the previous meeting.
- d) To correct an inaccuracy of the minutes of the previous meeting.
- e) To dispose of business, if any, remaining from the last meeting.
- f) To alter the order of business on the agenda for reasons of urgency or expedience.
- e) To proceed to the next business on the agenda.
- f) To close or adjourn debate.

- g) To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- h) To appoint a committee or sub-committee or any councillors thereto.
- i) To receive nominations to a committee or sub-committee.
- j) To dissolve a committee or sub-committee.
- k) To note the minutes of a meeting of a committee or sub-committee.
- l) To consider a report and/or recommendations made by a committee or a sub-committee or an employee..
- m) To extend the time limit for speeches.
- n) To exclude the press and public for all or part of a meeting.
- o) To silence or eject from the meeting a councillor or member of the public for disorderly conduct.
- p) To give the consent of the Council if such consent is required by these Standing Orders.
- q) **To suspend any Standing Order except those which are mandatory by law.**
- r) To adjourn the meeting.
- s) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- t) To answer questions from councillors.

11. QUESTIONS.

- a) A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided five clear working days notice of the question has been given to the person to whom it is addressed.
- b) No questions not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions.
- c) Every question shall be put and answered without discussion.
- d) A person to whom a question has been put may decline to answer.

12. RULES OF DEBATE.

- a) No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- b) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- c) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.

- d) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- e) The mover of a motion or the mover of an amendment shall have the right of reply, not exceeding five minutes and no other speech shall exceed five minutes except by consent of the Council.
- f) An amendment to a motion shall be either:
 - i) To leave out words.
 - ii) To leave out words and add other words
 - iii) To add words.
- g) A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration..
- h) If an amendment be carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- i) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- j) The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.
- k) A Member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- l) A Member may speak on a point of order or a personal explanation. A Member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him, which may have been misunderstood.
- m) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- n) When a resolution is under debate no other resolution shall be moved except the following:
 - i) To amend the resolution.
 - ii) To proceed to the next business.
 - iii) To adjourn the debate.
 - iv) That the question be now put.
 - v) That a Member named be not further heard.
 - vi) That a Member named leave the meeting.

- vii) That the resolution be referred to a committee.
- viii) To exclude the public and press.
- ix) To adjourn the meeting.

- o) A Member shall remain seated when speaking unless requested to stand by the Chairman.
- p) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- q) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide whom to call upon.
- r) Whenever the Chairman speaks during a debate all other Members shall be silent.

13. CLOSURE.

At the end of any speech a Member may, without comment, move "*that the question be now put*", "*that the debate be now adjourned*" or "*that the Council do now adjourn*". If such motion is seconded, the Chairman shall put the motion but, in the case of a motion "*that the question be now put*", only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "*that the question be now put*" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

14. CODE OF CONDUCT.

- a) All Members must observe the Code of Conduct, adopted by the Council.
- b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
- c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forth with and without discussion. If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Town Clerk.
- d) If either of the motions mentioned in paragraph c is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

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- e) Breaches of the Code of Conduct adopted by the Council shall be dealt with by the Town Clerk, in consultation with the Monitoring Officer, Dartford Borough Council.

15. RIGHT OF REPLY.

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

16. RESCISSION / ALTERATION OF PREVIOUS RESOLUTION.

- a) A Member may, with the consent of his seconder, move amendments to his own resolution.
- b) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least three members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- c) When a special resolution or any other resolution moved under the provisions of paragraph (b) of this Order has been disposed of, no similar resolution may be moved within a further six months.

17. VOTING ON APPOINTMENTS.

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

18. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL.

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Order No. 34(a)).

19. RESOLUTIONS ON EXPENDITURE.

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance & General Purposes Committee or of another Committee after recommendation by the Finance Committee) and which, if

carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance & General Purposes Committee shall report on the financial aspect of the matters).

20. EXPENDITURE.

Orders for the payment of money shall be authorised by resolution of the Council in accordance with Financial Regulations.

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21. SEALING OF DOCUMENTS.

- a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b) **The Council's Common Seal shall alone be used for sealing documents. It shall be applied and signed by the Town Mayor if present, or the Deputy Town Mayor, and Proper Officer in the presence of another member.**

22. SPECIAL MEETING.

- a) **The Chairman of the Council may convene a Special meeting of the Council at any time.**
- b) **If the Chairman of the Council does not or refuses to call a Special meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene a Special meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c) The Chairman of a committee may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

23. COMMITTEES AND SUB-COMMITTEES.

The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

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- a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- b) **May appoint persons other than Members of the Council to any committee except for the Finance & General Purposes Committee; and**
- c) May subject to the provisions of Standing Order 23 above at any time dissolve or alter the membership of committee.
- d) The Town Mayor and Deputy Town Mayor, ex-officio, shall be voting members of every Committee and therefore unable to substitute for members of Committees.
- e) Every Committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.
- f) Members of the Council shall be allowed to attend any Meeting of the Town Council's Committee's or sub-committee's as Substitute for an absent Member of such committee or sub-committee except for the Personnel Committee where no substitutes be allowed.
- g) An ordinary member of a committee who has been replaced at a meeting by a substitute member shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.

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24. SUB-COMMITTEES.

- a) **Every committee may appoint sub-committees for purposes to be specified by the committee.**
- b) The Chairman and Vice-Chairman of the committee shall be Members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- c) Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee shall be one-third of its Members and a sub-committee shall be one-half of its Members.
- d) The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of Members in contracts and other matters shall apply to committee and sub-committee meetings.

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25. ADVISORY COMMITTEES – WORKING GROUPS.

- a) The Council may create advisory committees, whose name, and number of members (between 3 and 5) and the bodies to be invited to nominate members shall be specified.
- b) The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- c) An advisory committee may make recommendations and give notice thereof to the Council.
- d) An advisory committee may consist wholly of persons who are not members of the Council.**
- e) That quorum for a Working Group to meet is 3 members.
- f) That substitutes be permitted and have to be nominated by the Working Group member that cannot attend.
- g) That at the creation of any Working Group it should be specified whether or not the Working Group is expected to act as a delegation to discuss matters and gather information on behalf of the Town Council.

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26. VOTING IN COMMITTEES.

- a) Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.
- b) Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

27. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS.

A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

28. ACCOUNTS AND FINANCIAL STATEMENT.

- a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the Finance & General Purposes Committee, or by the Proper Officer for

payment with the approval of the Town Mayor or Deputy Town Mayor or Chairman of the Finance and General Purposes Committee.

- c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments before the Council.
- d) The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of May.

29. ESTIMATES / PRECEPTS

- a) **The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of January.**
- b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than 30 November.

30. INTERESTS (ENGLAND)

- a) **If a member has a Disclosable Pecuniary Interest or Prejudicial Interest as defined by the Code of Conduct and Standing Order 43 adopted by the Council on 6 September 2012, then they shall declare such interest as per Standing Order 43. All such declarations shall be recorded in the minutes.**
- b) **The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**
- c) If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, Standing Orders 30 (a), (b) (c) and (d) shall apply as appropriate.
- d). The Clerk shall make known the purpose of Standing Order 30 (c) to every candidate.

31. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS.

- a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this subparagraph of this Standing Order to every candidate.
- b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c) Standing Order Nos. 30 (b) and 31 shall apply to tenders as if the person making the tender were a candidate for an appointment.

32. INSPECTION OF DOCUMENTS.

- a) A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- b) **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

33. UNAUTHORISED ACTIVITIES.

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:-

- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
- b) Issue orders, instructions or directions.

Unless authorised to do so by the Council or the relevant committee or sub-committee.

34. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS.

- a) **The press and public shall be admitted to all Meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the press and public which must be done by a resolution which shall give reasons for the public's exclusion.**
- b) The Council shall state the special reason for exclusion.

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- c) At all meetings of the Council the Chairman may, at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting. Members of the public are allowed to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted. Public speaking shall be limited to three minutes per person / organisation, this may be extended (if appropriate) at the Chairman's discretion.
- d) A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. The Chairman may direct that a response to a question posed by a member of the public be referred to a councillor for an oral response or to an officer for a written response.
- e) **The Clerk shall afford to the press and public reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.**
- f) If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that they be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.
- g) Any person who records, films, photographs, broadcasts or uses other communication methods in such a way as to be disruptive to the conduct of the meeting or the decision making process, will be asked by the Mayor or the Chairman to desist from such behaviour with immediate effect. Standing Order 34 (f) will be applied where the person fails to comply with the Mayor or Chairman's instruction.
- h) ~~Oral commentary during a meeting is prohibited. Any person who contravenes this Standing Order, will be asked by the Mayor or the Chairman to desist from such behaviour with immediate effect. Standing Order 34 (f) will be applied where the person fails to comply with the Mayor or Chairman's instruction.~~
A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.

35. CONFIDENTIAL BUSINESS.

- a) No member of the Council or of any committee or sub-committee shall disclose to any person not a Member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- b) Any member in breach of the provisions of paragraph (a) of this Standing Order may be removed from any committee or sub-committee of the Council by the Council, subject to any decision made as per Standing Order 14 (e).

36. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS.

- a) A list of the scheduled meetings, as agreed at the AGM shall be sent, as way of an invitation to attend, to the County, Borough, Unitary or District Councillor for the appropriate division or ward.
- b) At the discretion of the Clerk a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillor for the ward as the case may require.

37. PLANNING APPLICATIONS.

The Clerk shall, as soon as it is received, keep a records of the following particulars of every planning application notified to the Council:

- i) the date on which it was received
- ii) the name of the applicant
- iii) the place to which it relates;

38. FINANCIAL MATTERS.

- a) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. Such Regulations shall include detailed arrangements for the following:
 - i) the accounting records and systems of internal control;
 - ii) the assessment and management of risks faced by the Council;
 - iii) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - iv) the financial reporting requirements of members and local electors and
 - v) procurement policies (subject to (b) below) including the setting of values for different procedures where the contract has an estimated value less than £50,00025,000.
- b) ~~Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in standing order 38 (c) below.~~

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).

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- c) Any formal tender process shall comprise the following steps:
- i) a public notice of intention to place a contract to be placed in a local newspaper;
 - ii) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii) a copy of the specification of works shall be added to the 'Contracts Finder' website.
 - iv) tenders are to be sent, in a sealed marked envelope, to the Responsible Financial Officer by a stated date and time;
 - v) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and/or Responsible Financial Officer and at least one Member of Council;
 - vi) tenders are then to be assessed and reported to the appropriate meeting of Council or committee.
- d) The Council, nor any committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 30 (e), 31 regarding improper activity.

e) The Financial Regulations of the Council shall be subject to an annual review.

~~f)~~

f) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

g) A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

~~Where the value of a contract is likely to exceed £164,176 (or other threshold specified by the Office of Government Commerce from time to time) the Public Contracts Directive 2014/24/EU apply to the contract and, if those Regulations apply, the Council must comply with EU procurement rules.~~

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39. CODE OF CONDUCT ON COMPLAINTS.

The Council shall deal with complaints of misadministration allegedly committed by the Council or by any Officer or Member in such manner as adopted by the Council.

40. GENERAL POWER OF COMPETENCE (GPC).

- a) Before exercising the GPC, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b) The Council's period of eligibility begins on the date that the resolution above was made and the council is then required to revisit that decision and make a new resolution at every annual meeting of the council after the ordinary election that normally takes place every four years (the confirmation does NOT have to take place every year).

41. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- a) Any or every part of the Standing Orders except those printed in bold type may be suspended by resolution in relation to any specific item of business.
- b) A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

42. STANDING ORDERS.

- a) A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.
- b) The Chairman's decision as to the application of Standing Orders at meetings shall be final.
- c) A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

43. INTERESTS OF MEMBERS.

- (1) **A member with a Disclosable Pecuniary Interest (DPI) or Prejudicial Interest in a matter to be considered, or being considered at a meeting must:**

- a) **disclose the interest; and**

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- b) explain the nature of that interest at the commencement of that consideration or when the interest becomes apparent; unless he/she has been granted a dispensation:
- c) not participate in any discussion of, or vote on, the matter at the meeting: and
- d) withdraw from the meeting room whenever it becomes apparent that the business is being considered; and
- e) not seek improperly to influence a decision about that business.

(2) Unless a dispensation has been granted where a Member with a DPI or Prejudicial Interest in a matter under discussion, chooses to participate in the discussion and vote, the Town Mayor / Chairman may refuse to count the "vote" of the member concerned, for the "vote" will have been cast illegally and cannot be considered to be a vote at all.

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(3) A dispensation may be granted in accordance with standing order 43(2) if having regard to all relevant circumstances any of the following apply:

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- 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;
- ii. granting the dispensation is in the interests of persons living in the Council's area; or
- iii. it is otherwise appropriate to grant a dispensation.

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(3) The Town Mayor / Chairman may request that a member declare a DPI or Prejudicial Interest in a matter under discussion, and; leave the room, should he/she have reason to believe that the provisions of the Code of Conduct and / or this Standing Order are being breached. The Town Mayor / Chairman may apply the rules in Standing Order 14 relating to "code of conduct".

(4) Where a DPI has been agreed by the Town Clerk as being a Sensitive Interest, the member need only to disclose the existence of the interest but not its nature.

(5) Notification of Interests

The Town Clerk must be notified of any DPI before the end of 28 days beginning with the day a member becomes a member or voting co-opted member of the Town Council, or before the end of 28 days beginning with the day on which the Code of Conduct takes effect (whichever is the later). In addition, a member must, before the end of 28 days beginning with the day they become aware of any DPI or change to any interest already registered, register details of that new interest or change, by providing written notification to the Town Clerk.

(6) Members are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office as

Councillors / Co-opted members. Interests must be recorded and capable of audit.

- (7) Members attending meetings to present petitions will declare any interests in a manner specified in this Standing Order.

44. REGISTRATION AND DECLARATION OF A GIFT, BENEFIT OR HOSPITALITY.

Any member receiving a gift, benefit or hospitality in the course of their duties as a Town Councillor, with a value of £100.00 or more should notify the full details as soon as is possible to the Town Clerk, in writing. Each gift, benefit or hospitality with a value of £100.00 or more will be reported to the next full council meeting.

45. RECORDING, FILMING, PHOTOGRAPHING, BROADCASTING AND/OR ORAL COMMENTARY BY THE PRESS AND/OR PUBLIC.

- (i) **The press and public may, during the whole or part of a meeting of the Council, Committees, Sub-committees, that is open to the public:**
- (a) **film, photograph, record and broadcast the proceedings;**
 - (b) **use other means for enabling persons not present at the meeting, to see or hear proceedings, as it takes place or later;**
 - (c) **in writing only, report or provide commentary on the proceedings, so that the written report or written commentary is available, as the meeting takes place or later, to persons not present at the meeting.**
- (ii) **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- (iii) If it is resolved to exclude the press and public in accordance with Standing Order 34 (a) (b), all rights to film, photograph, record and broadcast the meeting will be rescinded and recording equipment used for the purpose of reporting the meeting, removed from the meeting room.
- (iv) Where a member of the public is permitted to address a meeting, the Mayor (in the case of a meeting of the Council) or Chairman (in the case of a meeting of a Committee, Sub-committee), will ask the individual to give their express permission to being filmed, recorded, photographed or appear in a broadcast. Where permission is refused, the Mayor or Chairman will instruct that, whilst the person is addressing the meeting, any recording, filming, photographing, broadcast or the use of other communication methods, cease with immediate effect. Failure of any person to comply with this instruction will be deemed to constitute disruptive behaviour in accordance with para.5 of the Policy on Recording, Filming, Photographing and Broadcasting Swanscombe and Greenhithe Town Council Meetings.
- (v) In the event that the activity is carried out in a manner that disrupts and/or interferes with the proper conduct of the meeting, the Mayor or the Chairman may at any time withdraw consent to film, record, photograph, broadcast or to the use of other communication methods. The Mayor or Chairman's ruling is final.

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RISK MANAGEMENT POLICY 2019

(This Policy was reviewed by the full Council at its AGM held on 17 May 2018, minute 19/18-19)

AREA	RISK	LEVEL	INTERNAL CONTROLS (AND AGREED IMPROVEMENTS)
ASSETS	Protection of physical assets owned by the Council: Leisure Centre Church Road Hall Grove Hall Mess Room Garage at Broomfield Sports Ground Sports Pavilion Parks Store (former public toilets) Sports Pavilion and Squash Courts Security Stores, Swanscombe Park Bowls Pavilion and Toilet Block Knockhall Changing Rooms Four garages, Swanscombe Park Heritage Community Hall Town Council Offices and Community Hall Community Cafe	L	Buildings insured and where appropriate contents. Value increased annually by RPI.
	Security of buildings, equipment etc.	L	Alarm on Leisure Centre, Council offices, Parks Mess Room and Former Toilet Block store. Contents insured.
	Maintenance of buildings etc	L	External maintenance and grounds maintenance of is responsibility of the Council. Ad-hoc maintenance on other buildings. Electrical and safety equipment maintenance in place on all properties. GCLL has responsibility of internal maintenance of Leisure Centre.
FINANCE	Banking	L	Bulk of investment is handled by Council. Investment decisions made by the Town Council.
	Risk of consequential loss of income	L	Insurance cover. Business interruption insurance cover in place of £120,000. Loss of non-negotiable money and other money covered under insurance policy.
	Loss of cash through theft or dishonesty	L	Receipts issued. Cash kept in locked containers and safe. Banked monthly by ATC/Responsible Financial Officer (RFO).
	Financial controls and records	L	Monthly reconciliation prepared by RFO and reported to Council. Three signatories on cheques and direct debits (Town Clerk or ATC/RFO and 2 councillors). Cheque stubs initialled by councillors. Updated financial

SWANSCOMBE & GREENHITHE TOWN COUNCIL

			regulations in place following the repeal of Section 150(5) of the LGA 1972 with increased internal controls. Internal and external audit.
	Comply with Customs and Excise Regulations	L	Use help line when necessary. VAT payments and claims calculated by RFO. Internal and external auditor to provide double check.
	Sound budgeting to underlie annual precept	L	Finance & General Purposes Committee and Council receive detailed budgets in the late autumn. Precept derived annual estimates. Expenditure against budget reported to every Meeting of the Finance & General Purposes Committee.
	Complying with borrowing restrictions	L	No new borrowing likely at present
LIABILITY	Risk to third party, property or individuals	L	Insurance in place. Parks and Open spaces checked daily. Health & Safety Assessments carried out annually on play equipment. Trees investigated when damage reported. Contractors issued with Notice to Contractors which stipulates health and safety and insurance requirements.
	Legal liability as consequence of asset ownership (especially leisure centre, playgrounds open spaces.)	L	Insurance in place. Integrated Management and Quality Management System operated by GCLL for Leisure Centre. H&S checklist operated in parks and open spaces. Daily checks of playgrounds. Written records kept. Annual safety checks on play grounds.
EMPLOYER LIABILITY	Comply with Employment Law	L	Membership of various national and regional bodies including Employers Organisation.
	Comply with Inland Revenue requirements	L	Regular advice from Inland Revenue and Sage. Internal and external auditor carry out annual checks.
	Safety of Staff and visitors	L	Security door, Alarm and CCTV camera fitted to restrict access to Council Offices. Secure locks on other properties. Health and Safety procedures in place, COSHH procedures in place. Asbestos register held. All health and safety matters regularly monitored.
LEGAL LIABILITY	Ensuring activities are within legal powers	L	Clerk clarifies legal position on any new proposal. Legal advice to be sought where necessary.
	Proper and timely reporting via the Minutes	L	Council meets on a nine-weekly cycle, and receives and approves Minutes of meetings held in interim. Minutes

SWANSCOMBE & GREENHITHE TOWN COUNCIL

			are available to press and public via the Council office and on the council's website.
	Proper document control	L	Leases and legal documents are kept in Fire Proof Cabinet. Other data storage complies with the Data Protection Act.
COUNCILLOR PROPRIETY	Registers of Interests and gifts and hospitality in place	L	Register of interest completed. Members asked to declare interests in relation to items on the agendas of every meeting. Gifts and hospitality register is available at each Council meeting.
INSURANCE	Public Liability	L	Cover in place to £10,000,000
	Hirer's Liability	L	Cover in place to £2,000,000
	Employer's Liability	L	Cover in place to £10,000,000
	Fidelity Guarantee	L	Covers members and employees to the sum of £500,000. Recommended formula in line with total balances plus 50% Annual Precept
	Personal Accident	L	Employees and Members covered to a capital sum of £115,000
	Legal Expenses	L	Limit of Indemnity £100,000 for the following: Employment disputes and compensation awards Legal defence Property protection and bodily injury Tax Protection Statutory Licence Protection
PRECEPT	Annual precept not the result of proper detailed consideration	L	Budget setting process commences each September. All Committees requested for details of likely expenditure. Financial risk assessments reviewed annually to ensure correct long term financial risks are appropriately budgeted for. RFO undertakes detailed analysis of likely expenditure and income to produce draft annual estimates. Estimates considered by Finance and General Purposes Committee before being endorsed by full Council.
	Inaccurate monitoring of performance	L	Members provided with up to date budget monitoring at each Finance and General Purposes Committee.
PAYROLL	Loss of data on PC due to system fault	L	Data is backed up daily by external IT contractor. Maintenance agreement in place with Sage. Program provides legislative updates automatically.
	Loss of services of employee	L	Vacancy is advertised immediately (if necessary) and request help from existing remaining employees to cover temporary loss. More than 1 member of staff is trained to undertake payroll.
COMPUTER DATA	Loss of computer data	L	Data on server is backed up daily to secure off-site storage by IT contractor. Anti-virus software on all PCs.
ADMINISTRATION	Agency Advice	L	Continue with advice from KALC, SLCCCL, SEEMP, ACAS and solicitors.
ALLOTMENTS PARKS	Increase in net expenditure	L	Review allotment rents annually.
	Loss of use of play equipment	L	Continue with regular maintenance and safety checks and take unsafe equipment out of service until repairs are carried out.

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Publication Scheme (including scheme of charges and FOI)	28
Recording, Filming, Photographing and Broadcasting Meetings	29
Redundancy Policy	30
Risk Management Policy	31
SGTC Community Engagement Strategy	32
Staff Disciplinary Procedure	33
Standing Orders	34
Stress Policy	35
Subject Access Request Policy	36
Terms Of Reference	37
Training / Learning and Development Policy.	38
Whistleblowing Policy	39

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SUBSCRIPTIONS - MEMBERSHIPS (p).

In accordance with Financial Regulations 5.6 members are provided with a list of the subscriptions and memberships that the Town Council hold, for resolution

Subscriptions

- Local Council Update
- Sage Payroll
- Scribe 2000 Accounts

Memberships

- National Society of Allotments & Leisure Gardens
- Kent Association of Local Councils (KALC)
- National Association of Local Councils (NALC)
- South East Employers (SEEMP)
- Society for Local Council Clerks (SLCC)
- Action for Communities in Rural Kent
- Fields in Trust
- Bookers

Recommended: To approve the continued memberships as detailed.

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REGULAR PAYMENTS - DIRECT DEBITS AND BACS PAYMENTS (p).

In accordance with Financial Regulations 5.6 and 6.9 members are provided with a list of the organisations that the Town Council pay on a regular basis, via either Direct Debit or BACS, for resolution.

Direct Debit

- Allstar Business
- Barclaycard
- Business Stream
- Castle Water
- Dartford Borough Council
- Driver & Vehicle Licencing Agency
- E-On
- EDF Energy
- Elavon
- Franco Postalia
- Information Commissioners
- Intelligent Money
- Kent Commercial Services
- Overline
- Sage Pay
- Siemens
- Tchibo
- Telefonica Ltd O2

BACS

- Active Security
- All Clear Water
- Allotment Society
- Altitude Events
- Amazon
- Amethyst
- Autoenroll
- Blachere
- Ginn Restoration
- Caloo Ltd
- Can-Do Hire
- CCA Occasions
- Chapman Cleaning
- Chic Event Hire
- Dartford Borough Council
- Dartford F C
- Discount Builders Merchants
- Diocese of Rochester
- Dor-2-Dor

- Dragon Spirit
- DTG Elliott
- DWP
- Ebbsfleet Printers
- Eden Park
- EDF
- EIAT UK
- Ernest Doe & Sons
- Fabulous Finger Foods
- Fields in Trust
- Fireout
- FL Machinery
- Focus Electrical
- Forestall
- Frame Regalia
- G4S
- GCLL
- GDPR-Info
- Glasdons UK
- Godfreys
- Gurney White
- Harding Construction
- Hatten Wyatt
- HMCTS
- HMRC Cumbernauld
- HRD Security
- HSS
- Interact Entertainment
- IPS Group
- Irwin Installations
- Kent Association of Local Councils
- Kent County Council Commercial Services
- Kent Pension Fund
- Kent Fire Extinguishers
- Kick Up Sports
- L J Sinclair
- L Robbins
- L W Burt
- Land Securities
- Landscape Services
- Lav Hire
- Locks N Tools
- Mackelden
- Mayor of Dartford
- Monarch
- Mrs Back 2 Front
- Mrs Roundabout

- National Association of Local Councils
- Night & Day Security
- Packhams
- Parsons
- The Pavilion
- PHC Ltd
- Pinden
- PKF Littlejohn
- Playdale
- Provender
- RBL
- RSL Shutters
- RSS Play
- Sage UK Ltd
- Schindler Lifts
- Science Boffins
- Scribe 2000
- Singlewell Printers
- Skynet ICT Ltd
- South East Employers
- SL Treecare
- Society for Local Council Clerks
- Steelway
- Stepforward
- Streetlights
- Tester
- TMH Contractors
- Trade UK
- Viking
- Viridor
- V R Sani Ltd
- Weed Management
- Wicksteed
- Zurich

Recommended:

To approve the continued regular payments as detailed.

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Annual Internal Audit Report 2018/19

SWANSCOMBE & GREENTHORN TOWN COUNCIL

This authority's internal auditor, acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with relevant procedures and controls to be in operation during the financial year ended 31 March 2019.

The internal audit for 2018/19 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Agreed? Please choose one of the following		
	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	YES		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	YES		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	YES		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	YES		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	YES		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	YES		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	YES		
H. Asset and investments registers were complete and accurate and properly maintained.	YES		
I. Periodic and year-end bank account reconciliations were properly carried out.	YES		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	YES		
K. IF the authority certified itself as exempt from a limited assurance review in 2017/18, it met the exemption criteria and correctly declared itself exempt. ("Not Covered" should only be ticked where the authority had a limited assurance review of its 2017/18 AGAR)			NOT APPLICABLE
L. During summer 2018 this authority has correctly provided the proper opportunity for the exercise of public rights in accordance with the requirements of the Accounts and Audit Regulations.			Not applicable ✓
M. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	Yes	No	Not applicable NOT APPLICABLE

For any other risk areas identified by this authority adequate controls existed (list any other risk areas on separate sheets if needed).

Date(s) internal audit undertaken

13/02/19 24/04/19

Name of person who carried out the internal audit

LIONEL ROBINSON

Signature of person who carried out the internal audit



Date

24/04/19

*If the response is 'no' you must include a note to state the implications and action being taken to address any weaknesses in control identified (add separate sheets if needed).

**Note: If the response is 'not covered' please state when the most recent internal audit work was done in this area and when it is next planned, or, if coverage is not required, the annual internal audit report must explain why not (add separate sheets if needed).

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Section 1 – Annual Governance Statement 2018/19

We acknowledge as the members of:

SWANSCOMBE & GREENHATFIELD TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2019, that:

	Agreed		
	Yes	No*	
1. We have put in place arrangements for effective financial management during the year, and for the preparation of the accounting statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority prepared its accounting statements in accordance with the Accounts and Audit Regulations.
2. We maintained an adequate system of internal control including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3. We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and Proper Practices that could have a significant financial effect on the ability of this authority to conduct its business or manage its finances.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority has only done what it has the legal power to do and has complied with Proper Practices in doing so.
4. We provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority during the year gave all persons interested the opportunity to inspect and ask questions about this authority's accounts.
5. We carried out an assessment of the risks facing this authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority considered and documented the financial and other risks it faces and dealt with them properly.
6. We maintained throughout the year an adequate and effective system of internal audit of the accounting records and control systems.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority arranged for a competent person, independent of the financial controls and procedures, to give an objective view on whether internal controls meet the needs of this smaller authority.
7. We took appropriate action on all matters raised in reports from internal and external audit.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority responded to matters brought to its attention by internal and external audit.
8. We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on this authority and, where appropriate, have included them in the accounting statements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Yes</i> means that this authority disclosed everything it should have about its business activity during the year including events taking place after the year end if relevant.
9. (For local councils only) Trust funds including charitable. In our capacity as the sole managing trustee we discharged our accountability responsibilities for the fund(s)/assets, including financial reporting and, if required, independent examination or audit.	Yes	No	has met all of its responsibilities where, as a body corporate, it is a sole managing trustee of a local trust or trusts.
	<input type="checkbox"/>	<input type="checkbox"/>	

*Please provide explanations to the external auditor on a separate sheet for each 'No' response and describe how the authority will address the weaknesses identified. These sheets should be published with the Annual Governance Statement.

This Annual Governance Statement was approved at a meeting of the authority on:

16/05/2019

and recorded as minute reference:

Signed by the Chairman and Clerk of the meeting where approval was given:

Chairman:

Clerk:

Other information required by the Transparency Codes (not part of Annual Governance Statement)

Authority web address

www.swanscombeandgreenhatfieldtowncouncil.gov.uk

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Section 2 – Accounting Statements 2018/19 for

SWANSCOMBE & GRENWICH TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2018 £	31 March 2019 £	
1. Balances brought forward	554211	601261	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	494491	494139	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	170793	144679	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	249931	273332	<i>Total expenditure or payments made to and on behalf of all employees. Include salaries and wages, PAYE and NI (employees and employers), pension contributions and employment expenses.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	368303	371664	<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	601261	595082	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	588614	580463	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	5189119	5196319	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	<i>The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets. N.B. The figures in the accounting statements above do not include any Trust transactions.</i>
		✓	

I certify that for the year ended 31 March 2019 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

Signed by Responsible Financial Officer before being presented to the authority for approval

[Signature]

Date

23/04/19

I confirm that these Accounting Statements were approved by this authority on this date:

16/05/2019

as recorded in minute reference:

Signed by Chairman of the meeting where the Accounting Statements were approved

[Signature]

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Swanscombe and GTC BANK FIX
BALANCE SHEET
 31/03/2019

<i>(Last) Year Ended</i> 31 Mar 2018		<i>(Current) Year Ended</i> 31 Mar 2019
£	CURRENT ASSETS	£
0.00	Stocks and stores	0.00
0.00	Work in progress	0.00
195.00	Debtors (Net of provision for doubtful debts)	0.00
0.00	Payments in advance	0.00
9,037.35	VAT Recoverable	14,619.54
0.00	Temporary lendings (investments)	0.00
592,468.60	Cash in hand	580,463.19
601,700.95	TOTAL ASSETS	595,082.73
-3,414.92	CURRENT LIABILITIES	0.00
<u>605,115.87</u>	Creditors	<u>0.00</u>
	NET ASSETS	<u>595,082.73</u>
218,469.08	Represented by:	
0.00	General fund Balance	233,087.94
386,646.79	Reserves:	
0.00	Capital	0.00
<u>605,115.87</u>	Earmarked	361,994.79
	Adjustments	<u>0.00</u>
		<u>595,082.73</u>

The above statement represents fairly the financial position of the council as at 31 Mar 2019

Signed 
 Responsible Financial Officer

Date 23/4/19

Swanscombe and GTC BANK FIX
Income & Expenditure Account
01/04/2018 to 31/03/2019

<i>(Last) Year Ended</i> 31 Mar 2018		<i>(Current) Year Ended</i> 31 Mar 2019
	<u>Income</u>	
1,183.00	Grove Car Park	550.00
8,699.50	Broomfield Sports Ground	8,333.50
1,230.00	Other Projects	2,060.00
8,122.39	Old Fire Station Cafe	11,112.56
18,562.20	Parks Establishment	13,919.88
1,675.71	Allotments	1,853.24
31,237.86	Town Council Offices Community H	29,746.80
8,141.15	Public Lighting	2,001.15
15,319.48	Heritage Community Hall	10,777.00
4,367.00	Knockhall Playing Field	5,060.42
4,092.40	Church Road Hall	4,657.63
3,249.05	Swanscombe Park	3,246.62
17,301.00	Sports Pavilion	17,292.50
542,103.88	Administration	524,743.75
	Heritage Park	500.00
	Leisure Centre	2,963.04
<u>£665,284.62</u>		<u>£638,818.09</u>
	<u>Expense</u>	
769.14	Bus Shelters	0.00
225,238.28	Administration	237,612.31
	Broomfield Sports Ground	50.00
50.00	Heritage Park	220.00
4,850.84	Church Road Hall	13,304.61
2,753.00	St Peter & St Paul's Churchyard	23.88
186.02	Grove Hall	87.14
14,804.39	Town Council Offices Community H	8,376.10
137.47	Knockhall Playing Field	141.60
84,153.64	Leisure Centre	87,877.93
11,246.98	Heritage Community Hall	12,021.00
16,869.20	Public Lighting	8,333.48
29,791.50	Old Fire Station Cafe	35,548.87
3,983.39	Grove Car Park	10,595.95
8,925.04	Other Projects	10,596.98
4,597.34	Sports Pavilion	5,382.97
501.00	Allotments	7,452.27
205,523.24	Parks Establishment	211,226.14
<u>£614,380.47</u>		<u>£648,851.23</u>
	<u>General Fund</u>	
166,174.93	Balance at 01 Apr 2018	218,469.08
665,284.62	ADD Total Income	638,818.09
831,459.55		857,287.17
614,380.47	DEDUCT Total Expenditure	648,851.23
217,079.08		208,435.94
-1,390.00	Transfer to/from Reserves	-24,652.00
<u>£218,469.08</u>	Balance at 31 Mar 2019	<u>£233,087.94</u>

Swanscombe Greenhithe Town Council

List of Assets held at 31 March 2019

Land

Date Purchased	Description of Asset	Current Value
01/04/1981	Broomfield Sports Ground	£1.00
01/04/1981	Knockhall Recreation Ground	£1.00
01/04/1981	Swanscombe Park	£1.00
01/04/1981	Manor Park	£1.00
01/04/1981	Saxon Court Play Area / Spring Vale	£1.00
01/04/1981	Valley View Children's Play Area	£1.00
		<u>£6.00</u>

Infrastructure

Date Purchased	Description of Asset	Current Value
01/04/1981	Sports Pavilion & Squash Courts	£1,517,371.32
01/04/1981	Grove Hall	£177,911.87
01/04/1981	Church Road Hall	£248,997.47
01/04/1981	Knockhall Changing Rooms	£41,470.58
01/04/1981	Bowls Pavilion and Toilet Block	£162,342.10
01/04/1981	Parks Store (former public toilets)	£55,765.15
01/04/1981	Mess Room/Store	£77,145.47
01/04/1981	Four Garages - Swanscombe Park	£111,014.70
01/04/1981	Garage - Broomfield Sports Ground	£89,447.66
01/04/1981	Security Store (3 x containers in Swanscombe Park)	£12,889.93
01/04/1981	Heritage Community Hall	£492,309.58
01/04/1981	Town Council Offices and Community Hall	£1,710,695.95
19/05/2011	St Peter & St Paul's Church Yard Wall	£16,390.90
01/04/2003	Axehead Sculpture	£40,000.00
22/10/2016	3 x Transit 2 Bay Bus Shelters	£9,000.00
		<u>£4,762,752.68</u>

Equipment

Date Purchased	Description of Asset	Current Value
13/02/2014	Tractor	£14,000.00
22/02/2019	3x Vans & Trailer	£21,500.00
01/04/1980	Tractor Mounted Equipment	£4,750.00
18/03/2010	Parks Equipment, inc all gardening equipment, tools etc	£74,595.32
18/03/2010	Playground Equipment	£180,193.68
19/05/2011	Height barrier - car park	£655.64
19/05/2012	2 x Diamond Jubilee Memorial Benches	£2,121.80
01/04/1974	Civic Regalia	£5,627.55
01/04/2007	8 x Public Notice Boards	£9,004.07
01/04/1980	Office Equipment, Furniture and Stationery	£52,478.21
01/04/2007	Old Fire Station Café - Furniture & Equipment	£30,951.49
01/04/2013	32 x Street Lights	£13,000.00
01/04/2013	Wooden Hut (Swanscombe Park Bowling Green)	£6,365.40
12/03/2015	Ride on Mower	£5,703.00
15/10/2015	Rotary Mower	£994.19
23/03/2016	2 x Cylinder Mower	£7,920.00
20/06/2016	4 x Commemorative Benches (2 Queens / 2 WW1)	£3,700.00
		<u>£433,560.35</u>

Total of Assets

£5,196,319.03

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PROGRESS REPORT FOR UPGRADED TOWN COUNCIL WEBSITE.

<http://swanscombeandgreenhithetowncouncil.gov.uk/>

Since the previous progress report (17 May 2018) the website has been performing well with all the stats figures increasing:-

	Page Views	Unique Views	First Time Views	Returning Views
2017	41,889	14,564	9,322	5,242
2018	46,184	21,155	12,731	8,424
Difference	+ 4,295	+ 6,591	+ 3,409	+ 3,182

There are several categories/sections on the Homepage which all contain further sub-sections and these include:-

- Recreation – Facilities Information, Recreation Fees, Booking Information
- Council – Your Councillors, Council Tax Details, Council Overview, Dates for Council Meetings, Staff Structure
- Publications – Agendas, Minutes, Policies & Procedures, Financial Information
- Local – Local Contacts & Links, Local Traffic Information

Other features on the Homepage include a rolling news item, recent news, a calendar containing details of events/bookings in the Councils facilities, Contact Us, Map/Directions, FAQ, Useful Links.

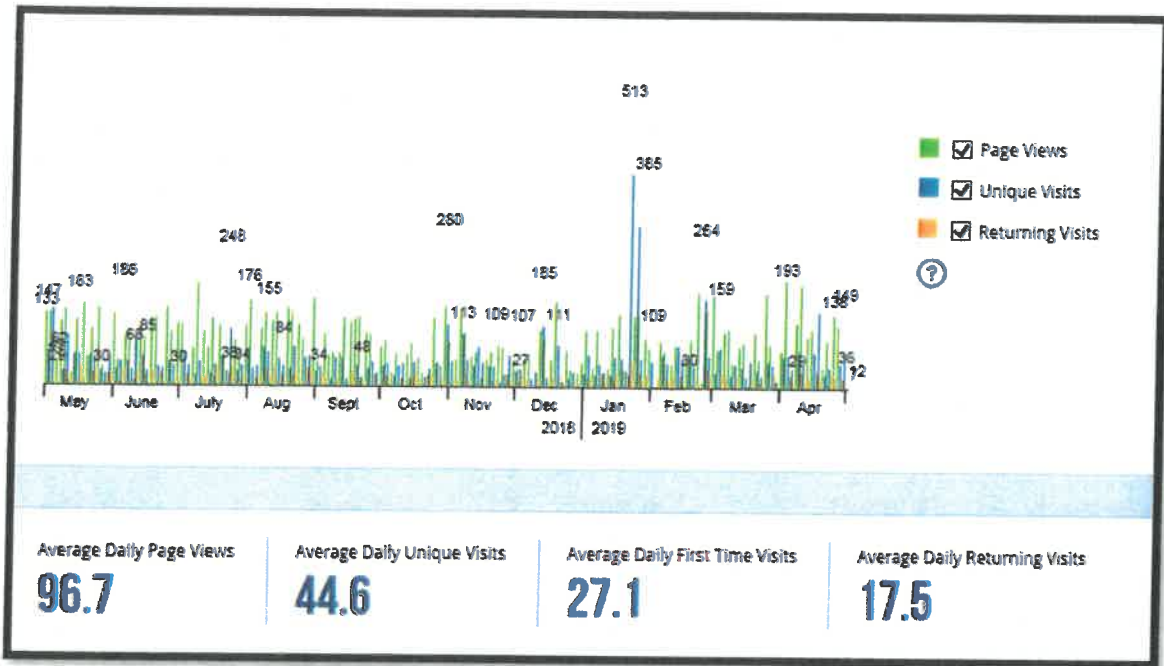
We have also improved the Town Councils presence on Social Media with the website including links and feeds to our Facebook and Twitter pages. The attached comparison statistics indicate the Town Councils Facebook page has a high level of engagement with posts created.

As you can see from the attached statistics the new website has received 96.7 average daily views which is an increase from the 3 per day over the previous 12 months.

Recommended: That the item be noted.



Analysis of average website page views and yearly trend.



Comparison of the Town Councils Facebook page against other local information pages.

Page	Total Page Likes	From last week	Posts This Week	Engagement This Week
1 Visit Swanscombe	3.8K	▼ 0.1%	1	265
YOU 2 Swanscombe and Green...	2.4K	▲ 0.1%	25	19K
3 Stone Parish Council	2K	▲ 0.4%	0	97
4 Ebbsfleet Development ...	1.2K	▲ 0.7%	16	892
5 Northfleet Big Local	1K	▲ 0.9%	6	594

AGENDA ITEM 29

AGM 16/5/19

GENERAL POWER OF COMPETENCY (GPC).

Further to the 21 May 2015 Town Council meeting (minute 28/15-16), please see the attached notes on the GPC. The GPC gives a council the legal capacity to do anything that an individual can do that is not specifically prohibited; it does not, for example, allow the council to impose new taxes, as an individual has no power to tax.

The eligibility criteria for a council to qualify to use the GPC are:-

- a) the number of members of the council that have been declared to be elected, whether at ordinary elections or at a by-election is equal to or greater than two thirds of the total number of members of the council;
- b) the clerk to the parish council **must** hold one of four qualifications which includes the Certificate in Local Council Administration (CiLCA). Clerks whose training did not include the GPC should attend relevant training and must pass Section 7 of CiLCA 2012.
 - The Town Clerk was awarded the CiLCA qualification on 17 November 2008.
 - The Town Clerk attended the relevant training for Section 7 of CiLCA 2012 on 25 May 2012 (certificate attached).
 - The Town Clerk successfully passed Section 7 of CiLCA on 12 July 2012 (certificate attached) which means he now fulfils the eligibility criteria for a qualified clerk as prescribed in the Parish Councils (GPC) (Prescribed Conditions) Order 2012.

The Town Council first became eligible to use the GPC on 6 September 2012 and must confirm that it still meets the criteria at every relevant annual meeting of the council after ordinary elections (this means an annual meeting that takes place in a year of ordinary elections of parish councillors).

Recommended:

To resolve that the Town Council meets the criteria set by the Secretary of State (Localism Act 2011 s8) and set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012.

STATUTORY INSTRUMENTS

2012 No. 965

LOCAL GOVERNMENT, ENGLAND

The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012

Made

27th March 2012

SCHEDULE Conditions of eligibility

1. The council has resolved at a meeting of the council and each subsequent relevant annual meeting that it meets the conditions in paragraph 2 below.
2. (1) At the time a resolution under paragraph 1 is passed —
 - (a) the number of members of the council that have been declared to be elected(3), whether at ordinary elections or at a by-election, is equal to or greater than two-thirds of the total number of members of the council;
 - (b) the clerk to the parish council holds—
 - (i) the Certificate in Local Council Administration;
 - (ii) the Certificate of Higher Education in Local Policy;
 - (iii) the Certificate of Higher Education in Local Council Administration; or
 - (iv) the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications; and
 - (c) the clerk to the parish council has completed the relevant training, unless such training was required for the purpose of obtaining a qualification of a description mentioned in paragraph (b).
- (2) For the purposes of this paragraph “relevant training” means training—
 - (a) in the exercise of the general power;
 - (b) provided in accordance with the national training strategy for parish councils adopted by the National Association of Local Councils, as revised from time to time.

<http://www.legislation.gov.uk/uksi/2012/965/made>

THE GENERAL POWER OF COMPETENCE: An introduction to key facts for local councils¹

Local councils in England were given a 'general power of competence' (GPC) in the Localism Act 2011, sections 1 to 8. This paper explains the freedom granted by the general power, the criteria to be met before a local council can use it and some restrictions on using the power. It notes the CiLCA questions and pass criteria (see also the Portfolio Guide 2012) and some useful weblinks. The power does not apply to parish meetings or to local authorities in Wales.

The freedom of the GPC

Councils no longer need to ask whether they have a specific power to act. The GPC (LA 2011 s1(1)) gives local authorities, including eligible local councils, "the power to do anything that individuals generally may do" as long as they don't break other laws. It is a 'power of first resort'; this means that when searching for a power to act, the first question you ask is whether you can use the GPC. To find the answer, you ask whether an individual is normally permitted to act in the same way. For example:

- An individual can't put someone in prison – and neither can a local council (although, like an individual, the council can press for a prosecution).
- An individual can't impose taxes on other people – so a local council can't use the GPC to raise taxes.

On the other hand, an individual

- could run a community shop or post office (provided they abide by relevant rules) – so a local council can do likewise;
- can set up a company to provide a service. The GPC clearly permits a local council to engage in commercial activity as long as it sets up a company or co-operative society (s4) for this purpose.

Sometimes a council can do things that an individual can't do – such as creating byelaws, raising a precept or issuing fixed penalty notices - but it must do so using the specific original legislation. The GPC does not mean that the council can delegate decisions to individual councillors – this is a procedural matter that remains enshrined in law.



The Government hopes that the GPC gives local councils confidence in their legal capacity to act for their communities. It encourages councils to use this power to work with others in providing cost-effective services and facilities in innovative ways to meet the needs of local people. The council can lend or invest money; it can trade; it can even sell energy to the National Grid. If another authority has a statutory duty, then it remains their duty to provide that service (eg education, waste collection, social services) but local councils can still help out. For example, a local council can support a school in many ways, just as an individual might. It could even help a community trust to run a local school.

The council can undertake activities using the GPC anywhere – not just in the parish (s1(4a)). It isn't necessary to worry whether the activity is for the benefit of the council, the area or the community (s1(4c)) although, in practice, parishioners might object if they can't see the benefit! And unlike the Local Government Act 1972, s137, it doesn't matter whether there

¹ Parish, town and neighbourhood councils in England

are any other specific powers permitting the council to take action (s1(5)). So, for example, a council can use the GPC to build a sports facility even though there is another power enabling it to do the same thing (Local Government (Miscellaneous Provisions) Act 1976 s19).

As always, the council is expected to act in accordance with the general principle of 'reasonableness' established by the Wednesbury court case in 1948. The judgement made it clear that a council can exercise reasonable discretion when interpreting legislation provided that it justifies its decision in terms of relevant, rather than irrelevant, matters.

Criteria for eligibility

The freedom of the GPC is available to local councils that meet two criteria for eligibility (LA 2011 s8) set out in a statutory instrument known as the *Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012* that came into force in April 2012.

A local council must decide, at a full meeting of the council, that it meets the criteria for eligibility at that particular point in time. A resolution to this effect must be written clearly in the minutes of that meeting. The council is then required to revisit that decision and make a new resolution at every 'relevant'² annual meeting of the council to confirm that it still meets the criteria (if it does). This means that eligibility remains in place until the first annual meeting of the council after the ordinary election even if the condition of the eligibility criteria has changed. The two criteria are:

Elected councillors At the precise moment that the council resolves that it meets the criteria, the number of councillors elected at the last ordinary election, or at a subsequent by-election, must equal or exceed two thirds of its total number of councillors.

Elected councillors include all councillors who stood for election whether or not the election was contested. Co-opted or appointed councillors do not count as they are not elected.

The total number of councillors means the number of seats on the council including those that might be vacant.

If two thirds is not a whole number, then it must be rounded up to the next whole number. For example, if the number of councillors in total is 8 and two thirds is approximately 5.3, then the number of councillors that must be elected is 6.

Total council seats	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Two thirds	4	4	5	6	6	7	8	8	9	10	10	11	12	12	13	14

² A 'relevant' annual meeting is the annual meeting of the council after the ordinary election that normally takes place every four years. The confirmation does not have to take place every year.

The qualified clerk The clerk must hold at least one of the sector-specific qualifications and should have completed the relevant training designed as part of the National Training Strategy for local councils. From April 2012, this training is undertaken as part of a clerk's preparation for one of the recognised sector-specific qualifications. Where a clerk studied for one of these qualifications before April 2012, they undertake the relevant training and must pass the short section 7 of CiLCA 2012 in order to be fully qualified for the purposes of the GPC (see below)³.

The recognised sector-specific qualifications are:

- The Certificate in Local Council Administration (CiLCA) awarded by the Monitoring and Verification Board (or previously by the AQA)
- The higher education qualifications for clerks awarded by the University of Gloucestershire or its predecessor institutions, namely:
 - The Certificate of Higher Education in Local Council Administration
 - The Certificate of Higher Education in Local Policy
 - The first level of the Foundation Degree in Community Engagement and Governance (the Level Four course)
 - Any equivalent successor qualification

It is important that the council pays attention to the advice of its trained and qualified clerk when taking decisions to ensure that it acts lawfully.

Since the GPC can be used for most of the activities of the council rather than for unusual one-off projects, the council cannot employ a clerk on a short-term contract specifically for using the power. If the council loses its qualified clerk or has insufficient elected councillors, then it must record its ineligibility at the next 'relevant' annual meeting of the council (after the ordinary election). If it has already started an activity under the GPC for which there is no other specific power, it remains eligible for the purpose of completing *that* activity, but it can't start anything new under the power until it is in a position to make the formal decision that it meets the criteria. The council must go back to identifying whether it has a specific power to act and use the restricted s137 if there is no appropriate specific power. When entering into a contract under the GPC, a council should be cautious if the contract lasts beyond the next annual meeting when the council might no longer be eligible to use the GPC. There is a risk of legal action if the council ends the contract unexpectedly. It is wise to seek legal advice when setting up the contract.

Risks and restrictions limiting the GPC

There are some risks associated with using the GPC. Inadequate community support or insufficient funding are significant risks while there are several statutory or legal restrictions

³ A clerk who studied the University of Gloucestershire module covering law for local councils before the academic year 2012/13 (but who doesn't have CiLCA 2012) must also pass Section 7 of CiLCA 2012.

that a local council should consider before using the power. Clerks and councillors should be aware of the following restrictions that potentially could limit the use of the GPC.

- If a council is already subject to a statutory duty, then that duty remains in place. So, for example, a local council that is eligible to use the GPC must continue to abide by its duties. For example:
 - The council has a duty to act with regard to the likely effect on crime and disorder and to do all it can to prevent crime and disorder in its area (Crime and Disorder Act 2006 s17).
 - The Natural Environment and Communities Act 2006 s40 imposes a duty on local councils to consider conserving biodiversity in exercising its functions.
 - The Smallholding and Allotments Act 1908 s23(1) gives councils a duty to provide allotments if they are of the opinion that there is a demand for them.
- There are also many procedural and financial duties that remain in place for regulating the governance of a local council.
- Furthermore, the council must comply with employment law, Health and Safety legislation, equality legislation and duties related to data protection and freedom of information for example.
- The council must set up a company or co-operative society if it wishes to trade. If the council sets up a company or co-operative society it must abide by company law. Councils are advised to refer to more detailed Government guidance on trading and on charging (see links below). The council can charge for services provided under the GPC⁴.
- If the council wants to invest in a local business to support the local economy, it should follow Government advice on investment (see links below). If it wishes to support a community enterprise, an economic development grant might be a sensible option.
- Remember, if another authority has a statutory duty, then it remains their duty to provide that service (eg education). If you are worried that you might be encroaching on another authority's duty, then ask whether an individual, a private company or a community trust might be able to step in and help. If they can, then so can the local council (although it might need to set up an appropriate delivery body first).
- If the action the council wishes to take is also covered by a specific power then any restrictions that apply to the overlapping power are still in force. So if existing legislation requires the council to ask permission before acting, then it must do so. For example, the council asks permission from the Highways Authority before doing work on roadside verges.

⁴ If councils have a statutory **duty** to provide a service **free of charge**, they cannot charge for that service. This provision applies to principal authorities but does not affect local councils as they are not required by law to provide **any** services free of charge

The GPC is a power and not a source of money. It cannot be used to raise the precept and if loans are needed then normal procedures apply. The council can seek other sources of finance such as the Community Infrastructure Levy, grant funding, sponsorship, commercial activity and agreements with other authorities. As always, the council should ensure support from local taxpayers.

So councils cannot use the GPC primarily to raise money but they can receive income as a consequence of using the power for a different primary purpose. For example, a council could give financial assistance to a struggling local enterprise by purchasing share capital just as any individual could. Similarly the council could lend money to support a local activity and earn interest on the loan and it can raise sponsorship for a community project.

Although councils are encouraged to be innovative, they should be aware of the risks involved in using the power in addition to a lack of money or community support. For example:

- There is a risk of being challenged
- Trading activities could damage competing local activities
- The council risks its reputation and public money if a project goes wrong

S137 and the power of well-being (PWB)

How do these two powers relate to the GPC?

- The money that can be spent under the Local Government Act 1972 s137 is limited while the power is restricted by regulations for use and scope; for example, councils must keep specific accounts for s137, they cannot use the power to give money to individuals and spending must be commensurate with the benefit gained. In addition a council can't use s137 if another specific power exists. A council that is eligible to use the GPC can no longer use s137 as a power for taking action for the benefit of the area or its community (Sch 1(1))⁵.
- The PWB (Local Government Act 2000 s2) offered councils more opportunity to improve and promote the economic, social and environmental well-being of an area and its community with no restrictions on spending. However, in England it has now been replaced by the general power of competence which offers even more freedom to act. Transitional arrangements allow councils to complete projects started under the PWB.

Further changes affecting the GPC

The Secretary of State for Communities and Local Government has the power to change the enacted legislation (s5) so it is important to keep up to date with legal advice. Changes will not be made without consultation and should therefore come as no surprise. The Government is keen to know whether there are any additional restrictions affecting the use of the GPC so that it can consider removing them. Contact the Society of Local Council Clerks or the National Association of Local Councils (via your County Association) if you wish to draw attention to any legislative constraints affecting the use of the power.

⁵ Note that s137(3) which permits the council to contribute to UK charities, public sector funds and public appeals remains in place.

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FINANCE & GENERAL PURPOSES COMMITTEE
11 JUNE 2015

in mind that the expenditure incurred in the halls reflects the hire rates being charged.

3. That the Recreation, Leisure and Amenities Committee review the need for the telephone line at the Heritage Community Hall.
4. That the amount of mayoral allowance and the continuation of the civic reception be referred to full council for consideration.
5. That the Recreation, Leisure and Amenities Committee consider whether the council should install solar panels on the council offices building.

55/15-16. BANK TRANSFERS.

In accordance with Financial Regulation 5.5 (c) Members were provided with a list of bank transfers undertaken in April and May 2015. A large discussion took place on this item, as members found it difficult to approve the transfers without knowing the full detail, i.e. starting balances. It was agreed that this would be resolved by the member appointed to approve the bank reconciliations and the approval of the bank reconciliations be undertaken prior to the approval of the bank transfers.

Recommended: That the bank transfers undertaken in April and May be approved.

56/15-16. SUMMARY OF ACCOUNTS.

Members were provided with details of the Summary of Accounts, balanced to 31 May 2015.

Recommended: That the details of the Summary of Accounts, balanced to 31 May 2015 be noted.

57/15-16. MONTHLY BANK RECONCILIATIONS.

In accordance with Financial Regulation 2.2 members were asked to appoint a member of the committee who was not a cheque signatory to verify the bank reconciliations produced by the RFO for all the council's accounts on a regular basis and that the monthly bank reconciliations should be produced for the meeting.

Recommended: That Councillor K G Basson be appointed to verify the bank reconciliations produced by the RFO for all the council's accounts on a regular basis.

58/15-16. BANK MANDATE.

Members were informed that due to a current issue with the existing mandate Councillors' Ms L M Cross and Mrs C K Openshaw would not be able to sign cheques until the new mandate had been completed.

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484/18-19. **GROVE CAR PARK MANAGEMENT SCHEME.**

Further to minute 110/18-19 and the fact that the Grove Car Park Management Scheme had been operational since 20 June 2018, members considered how they would like the review of the trial to be undertaken and, with the elections approaching (the latest date that purdah can start for the 2 May 2019 local elections is 26 March 2019), confirm the timing of the review.

After discussion it was agreed that the most appropriate time for the review would be after the elections on 2 May 2019 and that the full Council in place at that time should consider how it would like to undertake the review.

RESOLVED:

1. That the review be undertaken after the elections on the 2 May 2019;
2. That the full Council in place at that time considers how it would like the review to be undertaken.

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