

**REDRUTH TOWN
COUNCIL**



**CONSEL AN DRE
RESRUDH**

Civic Centre, Alma Place, Redruth, Cornwall TR15 2AT

Tel No: 01209-210038 e-mail: admin@redruth-tc.gov.uk

Town Mayor: Cllr R S Barnes

Town Clerk: C Caldwell

Our Reference:

RTC/AM

Date:

7th May 2025

See Distribution

Dear Councillor

Annual Meeting of the Council – 12th May 2025

You are summoned to attend the Annual Meeting of the Redruth Town Council, which will be held in the Langman Room, Redruth Civic Centre, Alma Place, on Monday 12th May 2025 commencing at 7:00pm.

The Agenda and associated papers are enclosed for your reference and information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Caldwell', followed by a long horizontal line.

Charlotte Caldwell
Town Clerk

Distribution:

Action:

All Councillors

Information:

President, Chamber of Commerce

Devon & Cornwall Police

Cornwall Councillors

Press & Public

Annual Meeting of the Redruth Town Council
12th May 2025
AGENDA

PART I - PUBLIC SESSION

1. To receive nominations and to elect the Town Mayor of Redruth for the Council Year 2025-2026.
2. To receive the Town Mayor's Declaration of Acceptance of Office, including appointment of Town Mayor's Consort. (*New Town Mayor in Chair*)
3. To receive nominations and to elect the Deputy Town Mayor of Redruth for the Council Year 2025-2026.
4. To receive apologies for absence.
5. To receive an address from the outgoing Town Mayor, Cllr Stephen Barnes.
6. Town Clerk announcements.
7. To receive the declarations of acceptance of office from Members other than the Mayor and Deputy Mayor.
8. Review of the terms of references for committees; and of delegation arrangements to committees, and employees. [See report attached]
9. To elect Members for the following committees and from those members elected to elect a Chair, and Vice-Chair, respectively:
 - a. Asset Management Committee
 - b. Community Committee
 - c. Planning Committee
 - d. Finance Committee
 - e. Staffing Committee
10. To appoint members to represent the Council on all outside organisations. [See report attached]
11. To receive the Members' Register of Interests from all Members.
12. Review and adoption of the Town Council's Standing Orders and Financial Regulations. [See report attached]
13. To review and reaffirm eligibility to exercise the General Power of Competence. [See report attached]
14. To appoint six Members to act as authorised signatories on the Council's financial documents.

REDRUTH TOWN COUNCIL
TERMS OF REFERENCE & DELEGATION OF POWERS

ASSET MANAGEMENT COMMITTEE

The Asset Management Committee shall carry out the functions of the Council under delegated powers in connection with the following matters:

1.

Health & Safety, accessibility and due diligence with respect to the Council's built environment portfolio and public realm portfolio, including

All Council buildings whether leased or owned including:

Civic Centre including Market Way and Market Hall
The Chambers
Gwealan Tops
Redruth Community Centre
The Clocktower and Town Clock
Public Conveniences
Multi-wheeled facility (Redruth skatepark)

All public realm estate whether leased or owned including:

Council Allotment sites
St Rumons' Gardens
East End Playing Field
Public open spaces
Bus shelters
All public footpaths **
Council managed parks & play areas (including those earmarked for imminent devolution)
Public realm & street furniture
Floral displays
Signs and noticeboards
Car parking spaces, Cross Street

Maintenance and infrastructure:

Council vehicles
Christmas Lights
Weed control
Waste management
Office equipment
IT platforms (including websites), equipment and infrastructure

** In consultation with Cornwall Council and as part of Local Maintenance Partnership(LMP)

2. The control, maintenance and security of the above areas where appropriate, and where necessary in consultation with joint bodies and other authorities.

3. In relation to the Council assets/facilities, the maintenance, security and letting and/or sub-letting of areas.
4. In relation to the above assets/facilities, where there is joint or other authority involvement, the discussion and formulation of joint programmes and projects to improve and/or upgrade the facilities.
5. To be responsible for matters relating to Health, Safety, and Welfare of all employees of the Council, in accordance with the requirements of the Health & Safety at Work Act 1974 and associated legislation as amended from time to time, including statutory responsibilities under the above legislation in respect of persons not directly employed by the Council.
6. To act as the Council's consultative committee on Waste Management and to recommend implementation of any such programmes or projects it believes to be beneficial to the electorate, to the Full Council.
7. To provide the necessary furniture, furnishings, equipment, materials and IT infrastructure for the proper functioning of the Council's staff and services and otherwise ensure the effective management of the Council's resources.
9. That in connection with any function delegated to this Committee, the Committee have the power to authorise any proceedings in the Courts relating to such function or any ancillary matter arising from or connected with such function, and that the Town Clerk has authority to initiate proceedings on the Council's behalf.
10. An overview of the Associations managing and running the Allotment sites on behalf of the Town Council.
11. To consider the acquisition of any land that may become available for purchase or devolution that may benefit the community.
12. The Committee has the delegated financial powers of expenditure in any of the budget/ear marked reserve account headings relating to services outlined in paragraph 1.
13. To fix annually in September, the Committee's planned expenditure and estimates required for the following Financial Year(s) and to submit to the Finance Committee for consideration.

FINANCE COMMITTEE

The Finance Committee shall carry out the functions of the Council under delegated powers in connection with the following matters:

1. To monitor the Council's spending, balances and budgets throughout the fiscal year by regular checks and trusted information; and recommend to Council the approval of the year end accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and Proper Practices.
2. Ensure that an adequate system of internal control is maintained; including measures designed to prevent and detect fraud and corruption and monitor effectiveness through a comprehensive review of procedures and regular checks of our activities throughout the year.
3. To carry out quarterly checks associated with Section 1 of the Accounting Governance Annual Return (AGAR).
4. To ensure 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 the Council to conduct its business or on its finances.
5. To carry out an assessment of the risks facing the Council and ensure that appropriate steps are taken to manage those risks, including the introduction of internal controls and/or external insurance cover where required.
6. To appoint the Council's independent auditor; and to take appropriate action on all matters raised in reports from internal and external audits.
7. To set the Financial Regulations of the Council and to submit to Council for approval.
8. To review the Council's policies relating to Finance, including The Transparency Code, Investment policy, Reserves policy etc and ensure that they meet the Council's current requirements.
9. To make recommendations to Council, any policy decisions relating to Members' Allowances.
10. To deal with all applications to, and by the Council, for loans, grants, subscriptions and donations, except as may be delegated specifically to another committee.
11. To control and supervise the financial resources, assets and liabilities of the Council, and any financial arrangements with any other authority or body.
12. Annually in November, using inputs from all other Standing Committees, prepare the Council budget and level of precept to be raised for the forthcoming fiscal year, making recommendations to Council for approval.
13. Any other governance matter that may be introduced through legislation or good practice.

COMMUNITY COMMITTEE

The Community Committee shall carry out the functions of the Council under delegated powers in connection with the following matters:

1.
Communications Strategy and Toolkit
Communications, Marketing, Publicity, Public Relations, digital platforms and social media
Town festivals and events
Library and Information service
Visitor Information centre
Strategic Projects, Regeneration and Council Awards Schemes
Community Liaison and Partnership working
Market research and benchmarking visits to learn from best practice in other areas
Climate Emergency and Emergency planning/community resilience
Plastic free Redruth
CCTV control centre and CCTV service for Town Council collective
2. The organisation and management of the above areas, and where necessary in consultation with joint bodies and other authorities.
3. In relation to the above services, where there is joint or other authority involvement, the discussion and formulation of joint programmes and projects to improve and/or upgrade the services/facilities.
4. To act as the Council's consultative committee on Regeneration programmes and/or projects, general socio-economic/ health matters, and to recommend implementation of any such programmes or projects it believes to be beneficial to the electorate, to the Council.
5. That in connection with any function delegated to this Committee, the committee have the power to authorise any proceedings in the Courts relating to such function or any ancillary matter arising from or connected with such function, and that the Town Clerk has authority to initiate proceedings on the Council's behalf.
6. The Committee has the delegated financial powers of expenditure in any of the budget/ear marked reserve account headings relating to the services above.
7. To fix annually in September, the Committee's planned expenditure and estimates required for the following Financial Year and to submit to the Finance Committee for consideration.

PLANNING COMMITTEE

The Planning Committee shall carry out the functions of the Council under delegated powers in connection with the following matters:

1. Consideration of, and recommendations, with or without comment, on all Planning Applications, Certificate of Lawfulness, Conservation Area Consent, Building and Tree Preservation Notices and Orders, which may be passed to the Council by the Local Planning Authority or any other authority as deemed appropriate.
2. Attending Site Inspection Panel Meetings as may from time to time be called by the Local Planning Authority, in respect of an application made within, or adjoining, the parish boundary.
3. Attending or making comment, either written or verbal, on behalf of the Council at any Planning Appeal or Public Inquiry.
4. Consideration of and comments on consultation documents relating to the Local Development Plan, Masterplans for the area, Conservation Areas, World Heritage Site and any such other plans that may at time to time be issued or amended.
5. To consider all Highways matters, including improvements, road closures, and any complaints made to the Council in respect of local problems.
6. To act as the Council's consultative committee on Transport and Housing; and to recommend implementation of any such programmes or projects it believes to be beneficial to the electorate, to the Full Council.
7. To have the overview/steering of the Neighbourhood Development Plan for the parish of Redruth and to ensure that once it is 'made', due account and reference is taken of and to it, in planning applications that come forward.
8. To consider and make recommendations in respect of any licences, enforcement issues, street trading, proposed planning policies and Listed buildings.
9. To offer local advice to developers/Cornwall Council on street naming within the parish.
10. The Committee may authorise the purchase of any such document, which may increase the efficiency of staff knowledge, thereby speeding up the consultation process.
11. The Committee has the delegated financial powers of expenditure of the following budget/reserve headings;

Planning and Training

Neighbourhood Development Plan

STAFFING COMMITTEE

The Staffing Committee oversees all HR matters in particular conditions of service, employee appointments and ensures the effective and efficient continuity of human resource. To deal with all matters relating to the recruitment, training, appeals, pensions, superannuation, and welfare of all employees of the Council. To maintain a continuous general oversight of the organisation and administrative efficiency of the Council's employees, to carry out the functions of the Council under delegated powers in connection with the following matters:

1. **Recruitment**

To consider and keep under review staffing requirements of the Council, including the appointment of new staff and all associated processes.

To advertise, select candidates for shortlisting and interview for the post of Town Clerk and make recommendation to Full Council for appointment.

To oversee the execution of new employment contracts, including any changes.

2. **Pay and employment contracts**

To consider and keep under review the terms of employment, salaries, hourly wages, increments, bonuses and pensions of employees and where required to implement amendments to these.

3. **Policies**

To monitor and oversee the implementation of all policies relating to staffing matters including the Staff Handbook and any changes required in line with employment legislation.

4. **Training**

To keep under review training undertaken by employees and Members and to oversee implementation of training required.

To establish and keep under review future training requirements for employees.

5. **Performance, conduct, capability and redundancy**

To oversee any process relating to the performance, conduct, capability or redundancy of an employee in accordance with the Council's adopted policy.

6. **Health and safety**

To monitor and review employees' working conditions, practices and procedures to ensure they comply with the law and to present recommendations to the Council.

7. The Committee are to ensure that the mental health and wellbeing of employees, Members and volunteers are at the heart of their decision-making processes.

8. The Committee has the delegated financial powers of expenditure of the following budget/reserve headings:

Staff Costs/Pensions
Training

9. To fix annually in September, the Committee's planned expenditure and estimates required for the following Financial Year and to submit to the Finance Committee for consideration.

REDRUTH TOWN COUNCIL

DETAILS OF DELEGATION GIVEN TO OFFICERS

Town Clerk/Proper Officer

There shall be delegated to the Town Clerk/Proper Officer the following powers as set out;

1. To appear on behalf of the Council at any industrial tribunal or appeal concerning employees or former employees of the Authority, with the exception of themselves, such officers also having delegated power to arrange representation for the Council.
2. The powers to approve compassionate leave for any employee of the Council.
3. The powers to incur budgeted expenditure to provide the necessary furniture, furnishings, equipment, machines and materials for the proper functioning of the Council and otherwise to ensure the effective management of staff and the Council's administrative resources, up to a limit of £10,000 (exc. VAT) in any one transaction.
4. The powers to incur budgeted expenditure in ensuring that the Council's property, possessions, employees, the public and other statutory requirements, are covered by the required insurance cover.
5. Payments of accounts, salaries, wages and all other payments from the Council.
6. In consultation with the Chair of the Council's Asset Management Committee, and in accordance with Council policy, the making of arrangements for the external and internal repair and maintenance of relevant Council owned or leased property, up to a limit of £10,000 (exc. VAT) in any one transaction and within budgeted requirements.
7. In conjunction with the Chair of the Council's Asset Management Committee, to design, implement and supervise all relevant maintenance works and capital projects, within budgeted requirements.
8. The powers to authorise emergency action or works where circumstances arise on Council premises which pose a threat to the health and safety of employees, Members or persons not directly employed by the Council, and will be the officer with prime responsibility for fulfilling the Council's policies contained within the adopted Statement of Policy made pursuant to Section 2 (3) of the Health and Safety at Work Act 1974.
9. In consultation with the Chair of the Council's Staffing Committee, the power to terminate the employment of employees, with the exception of themselves, on grounds of prolonged and serious ill health following receipt of an appropriate medical certificate in accordance with Council policy and statutory legislation.
10. In consultation with the Chair of the Council's Staffing Committee, the power to terminate the employment of employees, with the exception of themselves, on grounds of capability following a period of prolonged sick absence from work where there are no grounds to consider medical retirement in accordance with Council policy and statutory legislation.
11. After the appointment of employees by the Council/Staffing Committee, the power to enter into and sign on behalf of the Council all statements of employment particulars and offers of employment in accordance with Council policy, with the exception of their own particulars.
12. The power to sign on behalf of the Council such documentation as may be required in pursuant of powers delegated to the Town Clerk/Deputy Proper Officer/Responsible Finance Officer.

Responsible Finance Officer

In the absence of the Town Clerk/Proper Officer, there shall be delegated to the Responsible Finance Officer the following powers as set out;

1. To appear on behalf of the Council at any industrial tribunal or appeal concerning employees or former employees of the Authority, with exception of themselves, such officers also having delegated power to arrange representation for the Council.
2. The powers to approve compassionate leave for any employee of the Council.
3. The powers to incur budgeted expenditure to provide the necessary furniture, furnishings, equipment, machines and materials for the proper functioning of the Council and otherwise to ensure the effective management of staff and the Council's administrative resources, up to a limit of £5,000 (exc. VAT) in any one transaction.
4. The powers to incur budgeted expenditure in ensuring that the Council's property, possessions, employees, the public and other statutory requirements, are covered by the required insurance cover.
5. In consultation with the Chair of the Council's Asset Management Committee, and in accordance with Council policy, the making of arrangements for the external and internal repair and maintenance of relevant Council owned or leased property, up to a limit of £5,000 (exc. VAT) in any one transaction and within budgeted requirements.
6. In conjunction with the Chair of the Council's Asset Management Committee, to design, implement and supervise all relevant maintenance works and capital projects, within budgeted requirements.
7. Payments of accounts, salaries, wages and all other payments from the Council.
8. The powers to authorise emergency action or works where circumstances arise on Council premises which pose a threat to the health and safety of employees, Members or persons not directly employed by the Council, and will be the officer with prime responsibility for fulfilling the Council's policies contained within the adopted Statement of Policy made pursuant to Section 2 (3) of the Health and Safety at Work Act 1974.
9. After the appointment of employees by the Council/Staffing Committee, the power to enter into and sign on behalf of the Council all statements of employment particulars and offers of employment in accordance with Council policy, with the exception of their own particulars.
10. The power to sign on behalf of the Council such documentation as may be required in pursuant of powers delegated to the Town Clerk/Proper Officer.

Strategic Projects Officer

In the absence of the Town Clerk/Proper Officer, there shall be delegated to the Strategic Projects Officer the following powers as set out;

1. To appear on behalf of the Council at any industrial tribunal or appeal concerning employees or former employees of the Authority, with exception of themselves, such officers also having delegated power to arrange representation for the Council.
2. The powers to approve compassionate leave for any employee of the Council.
3. The powers to incur budgeted expenditure to provide the necessary furniture, furnishings, equipment, machines and materials for the proper functioning of the Council and otherwise to ensure the effective management of staff and the Council's administrative resources, up to a limit of £5,000 (exc. VAT) in any one transaction.
4. The powers to incur budgeted expenditure in ensuring that the Council's property, possessions, employees, the public and other statutory requirements, are covered by the required insurance cover.
5. Payments of accounts, salaries, wages and all other payments from the Council.
6. The powers to authorise emergency action or works where circumstances arise on Council premises which pose a threat to the health and safety of employees, Members or persons not directly employed by the Council, and will be the officer with prime responsibility for fulfilling the Council's policies contained within the adopted Statement of Policy made pursuant to Section 2 (3) of the Health and Safety at Work Act 1974.
7. After the appointment of employees by the Council/Staffing Committee, the power to enter into and sign on behalf of the Council all statements of employment particulars and offers of employment in accordance with Council policy, with the exception of their own particulars.
8. The power to sign on behalf of the Council such documentation as may be required in pursuant of powers delegated to the Town Clerk/Deputy Proper Officer/ Responsible Finance Officer.

Senior Library Officer

In the absence of the Town Clerk/Proper Officer, there shall be delegated to the Senior Library Officer the following powers as set out;

1. To appear on behalf of the Council at any industrial tribunal or appeal concerning employees or former employees of the Authority, with exception of themselves, such officers also having delegated power to arrange representation for the Council.
2. The powers to approve compassionate leave for any employee of the Council.
3. The powers to incur budgeted expenditure to provide the necessary furniture, furnishings, equipment, machines and materials for the proper functioning of the Council and otherwise to ensure the effective management of staff and the Council's administrative resources, up to a limit of £5,000 (exc. VAT) in any one transaction.
4. The powers to incur budgeted expenditure in ensuring that the Council's property, possessions, employees, the public and other statutory requirements, are covered by the required insurance cover.
5. Payments of accounts, salaries, wages and all other payments from the Council.
6. The powers to authorise emergency action or works where circumstances arise on Council premises which pose a threat to the health and safety of employees, Members or persons not directly employed by the Council, and will be the officer with prime responsibility for fulfilling the Council's policies contained within the adopted Statement of Policy made pursuant to Section 2 (3) of the Health and Safety at Work Act 1974.
7. After the appointment of employees by the Council/Staffing Committee, the power to enter into and sign on behalf of the Council all statements of employment particulars and offers of employment in accordance with Council policy, with the exception of their own particulars.
8. The power to sign on behalf of the Council such documentation as may be required in pursuant of powers delegated to the Town Clerk/Deputy Proper Officer/Responsible Finance Officer.

REDRUTH TOWN COUNCIL

REPORT FOR: Annual Meeting of the Council on 12th May 2025

SUBJECT OF REPORT: To elect Members for the following committees and from those members elected, to elect a Chair, and Vice-Chair

SUMMARY OF IMPLICATIONS

- a. Policy - Yes
- b. Financial - No
- c. Legal - Yes

1.0 TERMS OF REFERENCE

- 1.1 At the Annual Meeting of the Council it is necessary to elect Members for the Council's Standing Committees for the forthcoming municipal year, and from those members elected, to elect a Chair, and Vice-Chair.

2.0 REPORT

- 2.1 The current list of standing committees is as follows:

<u>Asset Management</u>	<u>Community</u>	<u>Finance</u>	<u>Staffing</u>	<u>Planning</u>
Town Mayor	Town Mayor	Town Mayor	Town Mayor	Town Mayor
Deputy Town Mayor	Deputy Town Mayor	Deputy Town Mayor	Deputy Town Mayor	Deputy Town Mayor
		Chair Asset Management	Chair Asset Management	
		Chair Community	Chair Community	
		Chair Staffing	Chair Finance	

Note: Town Mayor and Deputy Town Mayor have ex-officio appointments on all committees; Chairs of all standing committees are ex-officio appointments to the Finance and Staffing Committees. All ex-officio appointments have full voting rights.

3.0 RECOMMENDATIONS

3.1 It is recommended that Members consider their nomination for membership of the committees they wish to be involved with; for Council to approve the make-up of each committee; and for each committee to determine the Chair and Vice-Chair. As per Standing Orders, committees shall consist of a minimum of 8 Members, including the Town Mayor and Deputy Town Mayor.

C Caldwell
Town Clerk

REDRUTH TOWN COUNCIL

REPORT FOR: Annual Meeting of the Council on 12th May 2025

SUBJECT OF REPORT: To appoint members to represent the Council on outside organisations

SUMMARY OF IMPLICATIONS

- a. Policy - Yes
- b. Financial - No
- c. Legal - No

1.0 **REPORT**

- 1.1 At the Annual Meeting of the Council it is necessary, where applicable to appoint Members to represent the Town Council on outside bodies. At present the outside organisations are as follows, with the corresponding number of seats available for decision and appointment accordingly:

CALC	2 Councillors; Town Clerk
SLCC	2 Councillors; Town Clerk
Redruth Chamber of Commerce	2 Councillors
Redruth Community Centre Association	3 Councillors
Redruth & District Twinning Association (France)	2 Councillors
Mineral Point Twinning Association	1 Councillor
Mineral Trails Working Group	2 Councillors
Redruth 2000 (Murdoch House)	1 Councillor
Community Area Partnership (CAP)	2 Councillors
Police Liaison Group	2 Councillors
Friends of Victoria Park	2 Councillors
Redruth-Real del Monte Twinning Association	1 Councillor
Friends of Gwealan-Tops	2 Councillors
Safer Towns	1 Councillor: Strategic Projects Officer
CPIR Climate Group	1 Councillor
Youth Cafes Cornwall CIC – Hideaway 77 youth cafe	1 Councillor (appointment for duration of Council term)

Geothermal Project	2 Councillors
South Crofty Mine Local Liaison Group	2 Councillors
The Ladder Advisory Board	2 Councillors

1.2 Members are requested to consider the appointments as above and advise whether they wish to nominate themselves or others. If there are more candidates than positions, we should look at appointing substitutes.

2.0 **RECOMMENDATION**

2.1 It is necessary to appoint Members to represent the Council on these outside organisations if at all possible.

C Caldwell
Town Clerk



REDRUTH TOWN COUNCIL STANDING ORDERS

12.05.25

STANDING ORDERS OF REDRUTH TOWN COUNCIL

1. MEETINGS

- 1.1 Meetings of the Council shall be held in the Langman Room, Redruth Civic Centre, Alma Place, Redruth, unless the Council otherwise decides. **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.**
- 1.2 **When calculating the 3 clear days for notice of a meeting to Councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- 1.3 **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- 1.4 Subject to Standing Order 1.3 above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda, or at Full Council to comment or ask questions on any matter associated with the Town Council.
- 1.5 At the Chairman's discretion and with the agreement of the council, a member of the public may be invited to answer questions on matters of fact relating to the item under consideration by the Council at that point on the agenda where the matter is being discussed.
- 1.6 The period of time which is designated for public participation in accordance with Standing Order 1.4 above shall not exceed 15 minutes unless the Mayor or Chairman permits otherwise.
- 1.7 Subject to Standing Order 1.6 above, at monthly Full Council meetings each member of the public is entitled to speak once only to put questions to Members or the Police Officer or to make observations and shall not speak for more than 3 minutes. At meetings of Committees and Sub-committees, each member of the public may speak once in respect of business itemised on the agenda and shall not speak for more than 3 minutes unless the Town Mayor or Chair of Committee permits otherwise.
- 1.8 In accordance with standing order 1.4 above, a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- 1.9 A record of a Public Participation session at a meeting shall be included in the Minutes of that meeting.
- 1.10 A person shall raise his hand when requesting to speak but will not be required to stand when speaking unless directed by the Chairman at the commencement of the meeting.
- 1.11 Any person speaking at a meeting shall address his comments to the Mayor, if presiding, or the Chairman.
- 1.12 Only one person is permitted to speak at a time. If more than one person wishes to speak, the Mayor, if presiding, or Chairman shall direct the order of speaking. Members must respect the Code of Conduct.
- 1.13 Only Redruth Town Councillors and officers are permitted to speak during Full Council Meetings unless an agenda item specifies otherwise, or this Standing Order is suspended by resolution.

- 1.14 **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor (or Chairman) may in his absence be done by, to or before the Deputy Mayor (or Vice-Chairman).**
- 1.15 **The Mayor, if present, shall preside at meetings of the Full Council. If the Mayor is absent, the Deputy Mayor shall preside. If both are absent a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- 1.16 **In Committees, 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.**
- 1.17 **Subject to Standing Order 1.23 below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- 1.18 **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also Standing Orders 3.8 and 3.9 below.)**
- 1.19 **Members shall vote by show of hands or, if at least two members so request, by written ballot. The Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against the motion, or abstained, and this shall be recorded in the minutes of the meeting.**
- 1.20 **The minutes of a meeting shall include an accurate record of the following:**
- a. the time and place of the meeting;
 - b. the names of Councillors present and absent;
 - c. interests that have been declared by Councillors and non-Councillors with voting rights;
 - d. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - e. if there was a public participation session; and
 - f. the resolutions made.
- 1.21 **If, prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the Minutes of the meeting at which the approval was given.**
- 1.22 **The Code of Conduct adopted by the Council shall apply to Councillors and members of the public co-opted to serve on Committees and Sub Committees of the Council in respect of the entire meeting.**
- 1.23 **A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- 1.24 **All interests arising from the Code of Conduct adopted by the Council will be recorded in the Minutes giving the existence and nature of the interest.**
- 1.25 **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 5, and in the case of the Standing Committees 4.**
- 1.26 **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall**

be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

1.27 Meetings shall not exceed a period of 3 hours.

FILMING AND RECORDING MEETINGS

2.1 When a meeting of the Council, its committees or sub committees is open to the public, any person, if present, may:

- a. film, photograph or make an audio recording of a meeting;
- b. use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
- c. report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

2.2 Oral reporting, commentary or broadcasting is not permitted during any part of a meeting of the council, its committees and sub committees.

2.3 An individual must be present and able to use their equipment in order to film, photograph or audio record a meeting. There will be no opportunity to report on any part of the meeting where the council has resolved to exclude the press and public.

2.4 Disruptive behaviour

- a. No filming, photographing or audio recording of a meeting should be carried out in such a way as to disrupt the proceedings of the meeting.
- b. If person(s) disregard the request of the chairman of the meeting to moderate or improve their behaviour, any Councillor or the chairman of the meeting may move that the person be instructed to cease filming, photographing or audio recording. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution under Standing Order 2.4 b. above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

2.5 Members of the Council recording meetings are reminded of their obligations under the Council's Code of Conduct in respect of confidential matters.

ORDINARY COUNCIL MEETINGS

3.1 **In an election year, the annual meeting of the Council shall be held on the Monday next following the fourth day after the ordinary elections to the Council.**

3.2 **In a year which is not an election year, the annual meeting of a Council shall be held on the third Monday in May.**

3.3 Meetings of the Council, whether ordinary or extraordinary, shall be held in the Langman Room, Redruth Civic Centre, Alma Place, Redruth, at 7 o'clock in the afternoon unless the Council otherwise decides at its previous meeting. Meetings of the Council's committees and sub-committees, whether ordinary or extraordinary, shall not normally begin before 6 o'clock in the afternoon. However, on occasions where an earlier meeting is necessary the Chairman shall obtain prior agreement from all committee members. Meetings of all working parties/consultation groups are not bound by these rules and shall meet at mutually convenient times.

3.4 **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in the months of September, December and February.**

Six additional meetings shall be held in the months of June, July, October, January, March and

April on the last Monday of the month unless this conflicts with a public holiday, when the meeting will be held on the third Monday.

- 3.5 **The election of the Town Mayor and Deputy Town Mayor shall be the first business completed at the annual meeting of the Council.**
- 3.6 **The Town Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- 3.7 **The Deputy Town Mayor, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the Council.**
- 3.8 **In an election year, if the current Town Mayor has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes.**
- 3.9 **In an election year, if the current Town Mayor has been re-elected as a member of the Council, he shall preside at the meeting until a new Town Mayor has been elected. He may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes.**
- 3.10 The Mayor shall not hold office for more than two consecutive years.
- 3.11 Following the election of the Town Mayor and Deputy Town Mayor at the Annual Meeting of the Council, the order of business shall be as follows:-
 - a. In an election year, delivery by Councillors of their declarations of acceptance of office.
 - b. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - c. Review of the terms of references for committees.
 - d. Receipt of nominations to existing committees.
 - e. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute Councillors) and receipt of nominations to them.
 - f. To appoint members to represent the Council on all outside organisations.
 - g. To receive reports from Members representing the Council on outside organisations.
 - h. To review the Members' Register of Interests for all Members present.
 - i. Review and adoption of appropriate standing orders and financial regulations.
 - j. Review of representation on or work with external bodies and arrangements for reporting back.
 - k. In a year of elections, if a Council's period of eligibility to exercise the power of general competence expires the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
 - l. To appoint six Members to act as signatories on Council cheques and other financial documents.

4. **EXTRAORDINARY MEETINGS**

- 4.1 The Town Mayor may convene an extraordinary (special) meeting of the Council at any time.
- 4.2 If the Town Mayor does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary 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.
- 4.3 The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee (or sub-committee) at any time.
- 4.4 If the Chairman of a committee (or sub-committee) does not or refuses to call an extraordinary meeting of the committee within seven days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the committee (or sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

5. **MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- 5.1 A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- 5.2 No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 8 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 5.3 The Proper Officer may, before including a motion on the agenda received in accordance with standing order 5.2 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 5.4 If the Proper Officer considers the wording of a motion received in accordance with standing order 5.2 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 8 clear days before the meeting.
- 5.5 If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 5.6 Subject to standing order 5.5 above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 5.7 Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- 5.8 Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.
- 5.9 A written notice of motion shall not relate to any matter which may be considered under the Council's Code of Conduct, Complaints Procedure or employment policies.

6. **MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- 6.1 Motions in respect of the following matters may be moved without written notice to the Proper Officer;
 - a. to correct an inaccuracy in the draft minutes of a meeting;

- b. to move to a vote;
- c. to defer consideration of a motion;
- d. to refer a motion to a particular committee or sub-committee;
- e. to appoint a person to preside at a meeting;
- f. to change the order of business on the agenda;
- g. to proceed to the next business on the agenda;
- h. to require a written report;
- i. to appoint a committee or sub-committee and their members;
- j. to extend the time limits for speaking;
- k. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- l. to not hear further from a Councillor or a member of the public;
- m. to exclude a Councillor or member of the public for disorderly conduct;
- n. to temporarily suspend the meeting;
- o. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- p. to adjourn the meeting; or
- q. to close a meeting.

6.2 If a motion falls within the Terms of Reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

7. **RULES OF DEBATE**

- 7.1 Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- 7.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 7.3 A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- 7.4 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- 7.5 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 7.6 If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- 7.7 An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- 7.8 A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

- 7.9 If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- 7.10 Subject to standing order 7.11 below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- 7.11 One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- 7.12 A Councillor may not move more than one amendment to an original or substantive motion.
- 7.13 The mover of an amendment has no right of reply at the end of debate on it.
- 7.14 Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- 7.15 Unless permitted by the chairman of the meeting, a Councillor may speak once in the debate on a motion except:
- a. to speak on an amendment moved by another Councillor;
 - b. to move or speak on another amendment if the motion has been amended since he last spoke;
 - c. to make a point of order;
 - d. to give a personal explanation; or
 - e. in exercise of a right of reply.
- 7.16 During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- 7.17 A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- 7.18 When a motion is under debate, no other motion shall be moved except:
- a. to amend the motion;
 - b. to proceed to the next business;
 - c. to adjourn the debate;
 - d. to put the motion to a vote;
 - e. to ask a person to be no longer heard or to leave the meeting;
 - f. to refer a motion to a committee or sub-committee for consideration;
 - g. to exclude the public and press;
 - h. to adjourn the meeting; or
 - i. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements
- 7.19 Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- 7.20 Excluding motions moved under Standing Order 7.18 above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without

the consent of the chairman of the meeting.

8. RESCISSION OF PREVIOUS RESOLUTIONS

- 8.1 A resolution (whether affirmative or negative) of the Council shall not be discussed within six months except either by a special motion, written notice thereof bears the signatures of at least six Members of the Council, or by a motion moved in pursuance of a report or recommendation of a committee or the Town Clerk due to significant material new information.
- 8.2 When a special motion or any other motion moved pursuant to Standing Order 8.1 above has been disposed of, no similar motion may be moved within a further six months.

9. DRAFT MINUTES

- 9.1 If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- 9.2 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 6.1 a. above.
- 9.3 The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 9.4 If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

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

10. DISORDERLY CONDUCT

- 10.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- 10.2 If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any Councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 10.3 If a resolution made under standing order 10.2 above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

11. COMMITTEES

- 11.1 The Council will 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:
 - 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; and
 - c. May in accordance with standing orders, dissolve or alter the membership of a committee at any time, including the request of a Member to join a committee for which they did not stand at the Annual General Meeting.
 - d. Each committee will have written Terms of Reference as detailed at Annex B to these Orders.
 - e. Minutes for each committee meeting will be produced and circulated prior to the next meeting of the Full Council, where the Council will receive them. Members will then have the opportunity to request that that the Chairman of that committee takes any matter back for further discussion in the light of new/additional information, however, the decision of whether to take back or not, rests solely with the Chairman of that committee. The minutes are then taken back to the next appropriate committee meeting for approval as a true and accurate record.
 - f. Any committee meeting that is not held due to it being inquorate must be called again by the Chairman within 14 working days.
- 11.2 The Town Mayor and Deputy Town Mayor ex officio shall be members of every committee and have the right to vote on all matters relating to that committee.
- 11.3 The following committees shall be the Standing Committees of the Town Council and shall consist of a minimum of 8 members including the Town Mayor and Deputy Town Mayor:
- a. Asset Management Committee;
 - b. Community Committee;
 - c. Planning Committee;
 - d. Finance Committee [Town Mayor, Deputy Town Mayor, Chairs of Community, Asset Management,, Planning, and Staffing Committees plus minimum of 2 other Members]
 - e. Staffing Committee [Town Mayor, Deputy Town Mayor, Chairs of Community; Asset management, and Planning Committees plus minimum of 3 other Members]"
- 11.4 The Chairman of a Committee or the Town Mayor 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.
- 11.5 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 four members and the case of a sub-committee shall be one-half of its members.
- 11.6 Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.
- 11.7 A member who has proposed a resolution, which has been referred to any committee of which he/she is not a member, may explain his/her resolution to the committee but shall not vote.
- 11.8 Any Council member shall, unless the Council otherwise orders, be entitled to attend and debate at the meetings of any committee or sub-committee of which he/she is not a member but not vote.
12. **SUB-COMMITTEES**
- 12.1 Unless there is a Council resolution to the contrary, every committee may appoint a sub-

committee whose Terms of Reference and membership shall be determined by resolution of the committee.

- 12.2 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.

13. **WORKING PARTIES**

- 13.1 The Council may appoint Working Parties comprised of Councillors and non-Councillors.

- 13.2 Full Council or the Committee creating the Working Party must agree specific Terms of Reference.

- 13.3 Working Parties may consist wholly of persons who are non-Councillors.

14. **PROPER OFFICER**

- 14.1 The Council's Proper Officer shall be either (i) the Town Clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

- 14.2 The Council's Proper Officer shall do the following:-

a. The Proper Officer shall:

- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on Councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the Councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**

See standing order 1.2 for the meaning of clear days for a meetings of the full council and it's committees;

- b. Subject to Standing Orders 5.1 – 5.8 above, include in the agenda all motions in the order received unless a Councillor has given written notice at least 7 days before the meeting confirming his withdrawal of it.
- c. **Convene a meeting of the Full Council for the election of a new Town Mayor occasioned by a casual vacancy in his office.**
- d. Facilitate inspection of the minute book by local government electors;
- e. **Receive and retain copies of Byelaws made by other Local Authorities.**
- f. **Receive and retain Declarations of Acceptance of Office from Councillors.**
- g. Retain a copy of every Councillor's Register of Interests and any changes to it and keep copies of the same available for inspection.
- h. Keep proper records required before and after meetings.
- i. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998 in accordance with, and subject to, the Council's procedures relating to the same.

- j. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- k. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- l. Arrange for legal deeds to be executed. (*See also Standing Order 19*)
- m. Arrange or manage for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations (see Annex A).
- n. Record every planning application notified to the Council and the Council's response to the Local Planning Authority.
- o. Ensure that all planning applications notified are dealt with in accordance with the Council's planning procedures.
- p. Refer a planning application received by the Council to the Chairman and Vice-Chairman of the Planning Committee within 2 days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee.
- q. Manage access to information about the council via the publication scheme;
- r. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

15. **RESPONSIBLE FINANCIAL OFFICER**

- 15.1 The council shall appoint an appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

16. **CODE OF CONDUCT AND DISPENSATIONS**

16.1 *General*

- 16.1.1 The Council has adopted the Cornwall Code of Conduct for City, Community, Parish and Town Councils which will apply to all Councillors and members of the public co-opted to serve on Committees and sub Committees of the Council in respect of the entire meeting.
- 16.1.2 All interests arising from the Code of Conduct adopted by the Council will be recorded in the minutes giving the existence and nature of the interest.
- 16.1.3 Members must have particular regard to their obligation to record and leave the room for matters in which they have an interest as defined by the Code of Conduct or by relevant legislation.
- 16.1.4 The Council shall maintain for public inspection, a Register of Members' interests that is compliant with the Code of Conduct and with relevant legislation.

16.2 *Members and the Code of Conduct*

- 16.2.1 All Councillors and members of the public co-opted to serve on Council committees and sub committees shall observe the Code of Conduct adopted by the Council.
- 16.2.2 All Councillors and members of the public co-opted to serve on Council committees and sub committees shall maintain a Register of Disclosable Pecuniary Interests and must update their register by notifying the Monitoring Officer and the Clerk of any changes within 28 days.
- 16.2.3 All Councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- 16.2.4 Unless granted a dispensation, a Councillor or non-Councillor with voting rights who has registered

a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.

- 16.2.5 Unless granted a dispensation, a Councillor or non-Councillor with voting rights who has registered a non-registerable interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.
- 16.2.6 Where a non-registerable interest arises from membership of an outside body as defined in 3.5a of the Council's code of conduct, a Councillor may remain in the room to address the meeting, provide a short statement and answer questions for no more than three (3) minutes before leaving the room at the request of the Chairman.
- 16.2.7 You must record in a register of interests maintained by the Proper Officer any gifts or hospitality that you are offered or receive in connection with your official duties as a member and the source of the gift or hospitality worth £50.00 or over.
- 16.2.8 A Member of the Council may, for the purposes of his duty as a member but not otherwise, inspect any document which has been considered by a Committee or by the Council. The Proper Officer or Solicitor to the Council may decline to allow inspection of any document which is protected by other legislation or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client. All Minutes kept for any Committee shall be open for the inspection of any member of the Council during office hours.

16.3 Dispensations

- 16.3.1 **Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.**
- 16.3.2 A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.
- 16.3.3 A dispensation request shall confirm:
- a. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - b. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - c. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - d. an explanation as to why the dispensation is sought.
- 16.3.4 This policy shall apply to all meetings of the Council, its committees and sub-committees.
- 16.3.5 No dispensation will be awarded for any meeting where there are no minutes of the proceedings.
- 16.3.6 **A dispensation may be granted in accordance with standing order 14(r) above if having regard to all relevant circumstances the following applies:**
- a. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - b. **granting the dispensation is in the interests of persons living in the council's area or**

- c. **it is otherwise appropriate to grant a dispensation.**

17. **CODE OF CONDUCT COMPLAINTS**

- 17.1 Notification of any complaint shall remain confidential to the Proper Officer of the Council until such time as the matter has been concluded, when the outcome of the complaint shall be reported to a meeting of full council.
- 17.2 Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman or Vice Chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in this standing order, and who shall continue to act in respect of that matter as such until the complaint is resolved.
- 17.3 Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint
- 17.4 The council may:
- a. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - b. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
 - c. References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a Councillor.
 - d. **Upon notification by the Cornwall Council that a Councillor or non-Councillor with voting rights has breached the council's code of conduct, the council shall consider any recommendations and what, if any, action to take against him/her. Such action excludes disqualification or suspension from office and shall be limited to those sanctions recommended by the Monitoring Officer as part of the Decision Notice.**

18. **VOTING ON APPOINTMENTS**

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

19. **EXECUTION AND SEALING OF LEGAL DOCUMENTS**

- 19.1 A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- 19.2 **In accordance with a resolution made under Standing Order 14 above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

20. **ACCOUNTS AND ACCOUNTING STATEMENTS**

- 20.1 Proper practices" in standing orders refer to the most recent version of [Governance and Accountability for Local Councils – a Practitioners' Guide (England)].
- 20.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- 20.3 The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

- a. the council's receipts and payments for each quarter;
- b. the council's aggregate receipts and payments for the year to date;
- c. the balances held at the end of the quarter being reported

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

20.4 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- a. to the Finance Committee with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
- b. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.

20.5 The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to the Finance Committee at the earliest opportunity before the end of the month of April. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 May if at all possible.

21. **FINANCIAL CONTROLS AND PROCUREMENT**

21.1 The Council has established Financial Regulations for the governance and management of its finances and to meet the requirements of the audit and accountability regime in place at the time. These are attached as Annex A to these Standing Orders.

21.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

21.3 The Council's proper practices will be in accordance with the most recent JPAG guidance.

22. **CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS**

22.1 Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of the Standing Order to every candidate.

22.2 A Councillor or member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

22.3 This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

23. **ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

23.1 The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public¹ by means of the following resolution:

'To exclude the press and public from the meeting for the remaining item of business on the ground that it involves the likely disclosure of exempt information as defined in [Section No]² Part 1 of Schedule 12[A] of the 1972 Local Government Act'.

23.2 With the permission and at the discretion of the Chairman any member of the public may comment on an issue being debated by the council in order to provide information or clarification of items

relevant to the matter being debated. This facility will normally be limited to a maximum of only three minutes per person on the subject being debated.

- 23.3 If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the Council Chamber.

Note 1: If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution has been passed.

Note2: The special or confidential nature as set out at Annex D to these Orders should be stated.

24. **HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION**

- 24.1 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.

- 24.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest

25. **HANDLING STAFF MATTERS**

- 25.1 A matter personal to a member of staff that is being considered by any meeting of the Council is subject to standing order 24 above.

- 25.2 Subject to the Council's policies regarding the handling of performance, capability and disciplinary matters, the Council's most senior staff member (or other member of staff) shall contact the Chair of the Staffing Committee or in their absence the Vice Chair of the Staffing Committee in respect of an informal or formal matter and this shall be reported back and progressed by resolution of the Staffing Committee in accordance with its terms of reference.

- 25.3 The Chair of the Staffing Committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of [the employee's job title]. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Staffing Committee.

- 25.4 Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the Chair of the Staffing Committee or in their absence, the Vice-Chair of the Staffing Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Committee.

- 25.5 Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an employee relates to the chairman or vice-chairman of the Staffing Committee, this shall be communicated to another member of the Staffing Committee, which shall be reported back and progressed by resolution of the Staffing Committee.

- 25.6 Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

- 25.7 The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.

- 25.8 In accordance with standing order 26.1 the council will identify two persons with line management responsibilities who may have access to staff records referred to in standing order 19 (f).

26. **MANAGEMENT OF INFORMATION**

See also standing order 27.

- 26.1 **The Council shall have in place and keep under review, technical and organisational**

measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

26.2 The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

26.3 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

26.4 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

27. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 28.

27.1 In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

27.2 The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

28. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

See also standing order 26.

28.1 The Council may appoint a Data Protection Officer.

28.2 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.

28.3 The Council shall have a written policy in place for responding to and managing a personal data breach.

28.4 The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.

28.5 The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.

28.6 The Council shall maintain a written record of its processing activities.

29. RELATIONS WITH THE PRESS/MEDIA

29.1 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

29.2 All requests from the press or other media for an oral or written statement or comment from the Council shall be referred to the Town Mayor, by the Town Clerk or Deputy.

29.3 The Council shall issue a Press Release only by agreement with the Mayor and/or Deputy Mayor in line with delegated powers.

29.4 Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or media on behalf of the Town Council.

30. **LIAISON WITH CORNWALL COUNCIL**

30.1 A Full Council agenda shall be sent to the three Cornwall Council local Divisional members. Agendas for each of the standing committee meetings shall also be sent to the three Cornwall Council local Divisional members.

30.2 An agenda item shall be included on each scheduled meeting of the Full Council to receive reports from Local Cornwall Councillors, and for them to take questions from Members.

31. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

31.1 Unless authorised by a resolution, no Councillor shall:

- a. inspect any land and/or premises which the council has a right or duty to inspect; or
- b. issue orders, instructions or directions.
- c. incur any expenditure on behalf of the council or issue an instruction to incur expenditure.

32. **STANDING ORDERS GENERALLY**

32.1 All or part of a standing order, except one that incorporates mandatory statutory requirements (**written in bold**), may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

32.2 A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 2 Councillors to be given to the Proper Officer in accordance with standing order 5 above.

32.3 The Proper Officer shall provide a copy of the council's standing orders to a Councillor as soon as possible after he has delivered his acceptance of office form.

32.4 The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

33. **URGENT BUSINESS**

33.1 Where no meeting of the Council or a relevant Committee is scheduled within the necessary timescale to enable a decision concerning an urgent matter to be taken, the Town Clerk may, in consultation with the Mayor and Deputy Mayor (or Chair and Vice-Chair, in the case of a Committee) determine that matter. All decisions taken under this Standing Order shall be reported to the next meeting of the Council or the relevant Committee for information, together with the reasons for urgency which required a decision to be taken.

34. **POSTPONEMENT OF MEETINGS**

34.1 In extreme circumstances (such as hazardous weather conditions) the Mayor; Deputy Mayor or Chair of a Committee may postpone a meeting, following agreement with the Town Clerk or Deputy. In such circumstances every effort must be made to inform those expected to be present.



**REDRUTH TOWN COUNCIL
FINANCIAL REGULATIONS**

Adopted revised version 12.05.25

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1. GENERAL

- 1.1 These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2 Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3 Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4 In these Financial Regulations:
- 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approve" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in *The Practitioners' Guide*
 - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council Clerks in Wales.
 - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5 The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The RFO;
- acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and control systems;
 - ensures the accounting control systems are observed;
 - ensures the accounting records are kept up to date;
 - seeks economy, efficiency and effectiveness in the use of council resources; and
 - produces financial management information as required by the council.
- 1.6 **The council must not delegate any decision regarding:**
- **setting the final budget or the precept (council tax requirement);**
 - **the outcome of a review of the effectiveness of its internal controls**
 - **approving accounting statements;**
 - **approving an annual governance statement;**
 - **borrowing;**
 - **declaring eligibility for the General Power of Competence; and**

- **addressing recommendations from the internal or external auditors**

1.7 In addition the council must:

- determine and regularly review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £5,000;

2. RISK MANAGEMENT AND INTERNAL CONTROL

2.1 **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

2.2 The RFO shall prepare, for approval by the Finance Committee, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

2.3 When considering any new activity, the Clerk, with the RFO, shall prepare a draft risk assessment including risk management proposals for consideration by the council.

2.4 **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5 **The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

2.6 At least once in each quarter, and at each financial year end, a member other than the Chair shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements as evidence of verification. This activity, including any exceptions, shall be reported to and noted by the Finance Committee.

2.7 Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

3. ACCOUNTS AND AUDIT

3.1 All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

3.2 **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**

- **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
- **a record of the assets and liabilities of the council;**

- 3.3 The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.
- 3.4 The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them with any related documents to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5 The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6 Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 3.7 The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8 The council shall ensure that the internal auditor:
- is competent and independent of the financial operations of the council;
 - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
 - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - has no involvement in the management or control of the council
- 3.9 Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
 - initiate or approve accounting transactions;
 - provide financial, legal or other advice including in relation to any future transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 3.10 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.
- 3.11 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.
- 3.12 The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.
- 4. BUDGET AND PRECEPT**
- 4.1 Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

- 4.2 Budgets for salaries and wages, including employer contributions shall be reviewed by the Staffing Committee at least annually for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Staffing Committee. The RFO will inform committees of any salary implications before they consider their draft budgets.
- 4.3 No later than November each year, the RFO shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial year, along with a forecast for the following three financial years, taking account of the lifespan of assets and cost implications of repair or replacement.
- 4.4 Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve with the formal approval of the full council).
- 4.5 Each committee shall review its draft budget and submit any proposed amendments to the finance committee not later than the end of November each year.
- 4.6 The draft budget with any committee proposals and three-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the finance committee and a recommendation made to the council.
- 4.7 Having considered the proposed budget and three-year forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the end of December for the ensuing financial year.
- 4.8 **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.9 The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.
- 4.10 The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.
- 4.11 Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the Finance Committee.

5. **PROCUREMENT**

- 5.1 **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2 The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3 Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4 **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Procurement Act 2023 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**

- 5.5 Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:
- 5.6 **For contracts estimated to exceed £214,904 including VAT, for goods and services or £5,372,609 including VAT for construction works, the Clerk or RFO must go to open tender in accordance with the Procurement Act 2023.**
- 5.7 For contracts estimated to be over £30,000 including VAT, the council will comply with any requirements of the Legislation regarding the advertising of contract opportunities and the publication of notices about the award of contracts.
- 5.8 For contracts greater than £3,000 excluding VAT the Clerk or RFO shall seek at least three fixed-price quotes;
- 5.9 where the value is between £300 and £3,000 excluding VAT, the Clerk or RFO shall try to obtain three estimates which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10 For smaller purchases, the Clerk or RFO shall seek to achieve value for money.
- 5.11 **Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12 The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- i. specialist services, such as legal professionals acting in disputes;
 - ii. repairs to, or parts for, existing machinery or equipment;
 - iii. works, goods or services that constitute an extension of an existing contract;
 - iv. goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13 When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the Finance Committee. Avoidance of competition is not a valid reason.
- 5.14 The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15 Individual purchases within an agreed budget for that type of expenditure may be authorised by:
- the Clerk, under delegated authority, up to £10,000 excluding VAT.
 - In the absence of the Clerk, any member of the Senior Management Team, up to £5,000 excluding VAT
- 5.16 No individual member, or informal group of members may issue an official order unless instructed to do so in advance by a resolution of the council or enter into any contract on behalf of the council.
- 5.17 No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the Finance Committee, except in an emergency.
- 5.18 In cases of serious risk to the delivery of council services or to public safety on council premises, the Clerk may authorise expenditure of up to £10,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the Finance Committee as soon as practicable thereafter.

- 5.19 No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the Finance Committee is satisfied that the necessary funds are available. Where a loan is required, Government borrowing approval has been obtained first.
- 5.20 A purchase order shall be issued for work, goods and services unless a formal contract is to be prepared or a purchase order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21 The ordering system, including a record of all purchase orders issued shall be controlled by the RFO.
- 5.22 Before any contract is awarded, the RFO must carry out due diligence on the supplier to ensure there are no adverse indicators on the public record (for example at Companies House) or any other indicators of risk to the Council should the contract be granted.
- 5.23 Before any purchase order is completed, the budget holder and RFO should consider whether the supplier is the best option having regard to, for example, locality, environmental considerations, reputation, and service delivery as well as price.
- 5.24 The above provisions should be read in conjunction with the Details of Delegation to Officers set out in the Standing Orders.

6. BANKING AND PAYMENTS

- 6.1 The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council. Banking arrangements shall not be delegated to a committee. The council has resolved to bank with Unity Trust Bank plc. The arrangements shall be reviewed annually for security and efficiency.
- 6.2 The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised, and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3 All invoices for payment should be examined for arithmetical accuracy, compared to the purchase order where relevant, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council. The budget-holder should indicate their approval to the invoice before being certified by the RFO.
- 6.4 Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5 All payments shall be made by online banking, in accordance with a resolution of the Full Council, unless the council or Finance Committee resolves to use a different payment method.
- 6.6 For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council or Finance Committee may authorise in advance for the year.
- 6.7 A list of such payments shall be reported to the next appropriate meeting of the council for information only.

- 6.8 The Clerk shall have delegated authority to authorise payments in the following circumstances:
- i. any payments of up to £10,000 excluding VAT, within an agreed budget.
 - ii. payments of up to £10,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
 - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for payment is before the next scheduled meeting of the council or Finance Committee, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council {or finance committee}.
 - iv. Fund transfers within the councils banking arrangements up to the sum of £50,000, provided that a list of such payments shall be submitted to the next appropriate meeting of the council or Finance Committee.

6.9 The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council or Finance Committee. The council or Finance Committee shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. ELECTRONIC PAYMENTS

- 7.1 Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify at least six councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The Clerk and RFO may be authorised signatories, but no signatory should be involved in approving any payment to themselves.
- 7.2 All authorised signatories shall have access to view the council's bank accounts online.
- 7.3 No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
- 7.4 The Service Administrator (the RFO) shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent to two authorised signatories, being the Town Clerk (or RFO if the Town Clerk is absent) and one authorised councillor, or two authorised councillors.
- 7.5 In the prolonged absence of the Service Administrator the Clerk shall set up any payments due before the return of the Service Administrator and two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.
- 7.6 Evidence shall be retained showing which members approved the payment online.
- 7.7 A full list of all payments made in a month shall be provided to the next council meeting.
- 7.8 With the approval of the council or Finance Committee in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct

debit, provided that the instructions are signed or approved online by the Clerk and two authorised members. The approval of the use of each variable direct debit shall be reviewed by the council or Finance Committee at least every two years.

- 7.9 Payment may be made by BACS or CHAPS by resolution of the council or Finance Committee provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 7.10 If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by the Clerk and two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the council at least every two years.
- 7.11 Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk and the RFO. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.
- 7.12 Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.
- 7.13 Remembered password facilities {other than secure password stores requiring separate identity verification} should not be used on any computer used for council banking.

8. CHEQUE PAYMENTS

- 8.1 Cheques or orders for payment in accordance in accordance with a resolution or delegated decision shall be signed by two members and countersigned by the Clerk.
- 8.2 A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.
- 8.3 To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

9. PAYMENT CARDS

- 9.1 Any Debit Card issued for use will be specifically restricted to the Clerk and will also be restricted to a single transaction maximum value of £300 excluding VAT unless authorised by council or finance committee in writing before any order is placed.
- 9.2 A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Finance Committee. Transactions and purchases made will be reported to the Finance Committee and authority for topping-up shall be at the discretion of the Finance Committee.
- 9.3 Any corporate credit card opened by the council will be specifically restricted to use by the Clerk and RFO and any balance shall be paid in full each month.
- 9.4 Any trade account (for example used by the Facilities Team) will be operated in accordance with the Procurement Policy set out in section 5, and any expenditure should be authorised in advance by the budget-holder.
- 9.5 Personal credit or debit cards of members or staff shall not be used except for expenses of up to £100 excluding VAT, incurred in accordance with council policy.

10. PETTY CASH

- 10.1 The RFO shall maintain a petty cash float of up to £250 and may provide petty cash to officers for the purpose of defraying operational and other expenses.
- a) Vouchers for payments made from petty cash shall be kept, along with receipts to substantiate every payment.
 - b) Cash income received shall only be paid into the petty cash float while local banking arrangements do not allow for the banking of incomplete coin bags. Any income paid into the petty cash float shall be recorded as such.
 - c) Payments to maintain the petty cash float shall be shown separately on any schedule of payments presented for approval.
 - d) Any petty cash float should be kept in a locked safe.

11. PAYMENT OF SALARIES AND ALLOWANCES

- 11.1 **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2 **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 11.3 Salary rates shall be agreed by the Staffing Committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the Staffing Committee.
- 11.4 Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.
- 11.5 Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 11.6 Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by the finance committee to ensure that the correct payments have been made.
- 11.7 Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council following a recommendation by the Staffing Committee.
- 11.8 Before employing interim staff, the council must consider a full business case.

12. LOANS AND INVESTMENTS

- 12.1 Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.
- 12.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.
- 12.3 The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must written

be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

- 12.4 All investment of money under the control of the council shall be in the name of the council.
- 12.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 12.6 Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

13. INCOME

- 13.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 13.2 The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk.
- 13.3 Any sums found to be irrecoverable, and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.
- 13.4 All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.
- 13.5 Personal cheques shall not be cashed out of money held on behalf of the council.
- 13.6 The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date.
- 13.7 Where significant sums of cash are regularly received by the council, the RFO shall ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.
- 13.8 Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.

14. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 14.1 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.
- 14.2 Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. STORES AND EQUIPMENT

- 15.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section
- 15.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

- 15.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 15.4 The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

16. ASSETS, PROPERTIES AND ESTATES

- 16.1 The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.
- 16.2 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.
- 16.3 The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.
- 16.4 No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

17. INSURANCE

- 17.1 The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.
- 17.2 The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 17.3 The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the Finance Committee at the next available meeting. The RFO shall negotiate all claims on the council's insurers in consultation with the Clerk.
- 17.4 All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

18. CHARITIES

- 18.1 Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

19. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 19.1 The council shall review these Financial Regulations annually and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.
- 19.2 The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.
- 19.3 The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

Appendix 1 - Tender process

- 1) Any invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to the Council's Standing Orders and shall refer to the terms of the Bribery Act 2010.
- 6) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

REPORT FOR: Annual Meeting of the Council on 12th May 2025

SUBJECT OF REPORT: To reaffirm eligibility to exercise the General Power of Competence.

SUMMARY OF IMPLICATIONS

- a. Policy - Yes
- b. Financial - No
- c. Legal - Yes

1.0 TERMS OF REFERENCE

1.1 At the Annual Meeting of the Council in an Election year, it is necessary to review and reaffirm the Town Council's eligibility to renew and exercise the General Power of Competence.

2.0 REPORT

2.1 The General Power of Competence (GPC) is an important power held by the Town Council which gives the Council the power to do anything an individual can do, as long as it is not prohibited by other legislation. This power enables the Council to have greater freedom and flexibility in providing services to the community.

2.2 In order to be eligible to renew this power, the Council must satisfy two criteria as follows;

(1) At least two thirds of its Council members have been elected to office.

(2) The Town Clerk/Proper Officer holds the CILCA qualification. (Certificate in Local Council Administration.)

2.3 I am pleased to report that both these two criteria have been met by Redruth Town Council and therefore enables the Council to renew the General Power of Competence at the Annual Meeting.

3.0 RECOMMENDATIONS

3.1 It is recommended that the Council resolve to renew the General Power of Competence.

C Caldwell
Town Clerk