

6th May 2014

Notice is hereby given that there will be a Meeting of the **GOVERNANCE AND AUDIT COMMITTEE** held in the **NEW MILLENNIUM CHAMBER, MANOR HOUSE, CHURCH STREET, LITTLEHAMPTON** on **TUESDAY 13 MAY 2014** at **6.30PM**

Committee: Cllrs Northeast (Chair), Britton,
Caffyn and Hulmes

PETER HERBERT
Town Clerk

AGENDA

2013/2014

1. EVACUATION PROCEDURES

2. FILMING OF COUNCIL MEETINGS AND USE OF SOCIAL MEDIA

During this meeting the public are allowed to film the Committee and officers only from the front of the public gallery, providing it does not disrupt the meeting. Any items in the Exempt Part of an agenda cannot be filmed. If another member of the public objects to being recorded, the person(s) filming must stop doing so until that member of the public has finished speaking. The use of social media is permitted but all members of the public are requested to switch their mobile devices to silent for the duration of the meeting.

3. MOBILE PHONES

Members and the public are reminded that the use of mobile phones (other than on silent) is prohibited at Town Council and Committee meetings.

4. APOLOGIES

5. DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declaration of disclosable pecuniary or personal and/or prejudicial interests that they may have in relation to items on this Agenda.

You should declare your interest by stating:

- (a) the item you have the interest in
- (b) whether it is a disclosable pecuniary interest, whereupon you will be taking no part in the discussions on that matter, or
- (c)
 - (i) whether it is a personal interest and the nature of the interest
 - (ii) whether it is also a prejudicial interest

- (iii) If it is a prejudicial interest, whether you will be exercising your right to speak under PUBLIC FORUM

You then need to re-declare your interest and the nature of the interest at the commencement of the item or when the interest becomes apparent.

6. **MINUTES**

To confirm the Minutes of the meeting held on 4 February 2014, circulated herewith.

7. **PUBLIC FORUM**

Members of the public are invited to ask questions or raise issues which are relevant and are the concern of this committee. A period of 15 minutes is allocated for this purpose. If possible, notice of intention to address the Committee should be given to the Clerk by noon of the day of the meeting.

8. **CHAIR'S REPORT AND URGENT ITEMS**

9. **OFFICER'S REPORTS**

9.1 **Annual Governance Statement** – Report attached.

9.2 **Internal Audit Update** – Report attached.

9.3 **Review of Financial Regulations** – Oral update from the Finance and Resources Manager.

9.4 **Aims and Objectives** – Report attached.

9.5 **Scheme of Delegation** – Report attached.

10. **MASTERPLAN – NORTH LITTLEHAMPTON**

11. **EXEMPT BUSINESS**

It is **RECOMMENDED** that:

The public and accredited representatives of the press be excluded from the Meeting under Section 100 Local Government Act 1972 due to the confidential nature of the business to be conducted.

LITTLEHAMPTON TOWN COUNCIL

Non-Confidential

Committee: Governance and Audit Committee

Date: 13 May 2014

Report of: The Town Clerk

Subject: Annual Governance Statement 2013/14

1. Summary

- 1.1 Attached as an Appendix to this report, for the Committee's consideration and to recommend to Council for approval, is the 2013/14 Annual Governance Statement.

2. Recommendation

The Committee is RECOMMENDED to RECOMMEND that COUNCIL

- (1) approve the Annual Governance Statement and authorise the Mayor and the Town Clerk to sign accordingly, (subject to paragraph 3.6).

3. Background

- 3.1 The Council is required to produce a Statement of Accounts and have it approved by Council by 30th June each year. This is in the form of an Annual Return and The Annual Governance Statement forms Part of this return.
- 3.2 The Annual Governance Statement is signed on behalf of the Council by the Chair (Mayor) and Town Clerk. Those who are responsible for the conduct of public business and for spending public money are accountable for ensuring both that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically efficiently and effectively.
- 3.3 In discharging this accountability, public bodies and their management (both Members and Officers) are responsible for putting in place proper arrangements for the governance of their affairs and the stewardship of the resources at their disposal.
- 3.4 Councils are expected to make a number of representations and assertions in eight statements of assurance, which together comprise the Annual Governance Statement, about the accountability of the Council

- 3.5 The statements are explained in the following table. The Annual Governance Statement is attached as Appendix 1.

Statement	Explanatory note
1. 'We approved the accounting statements prepared in accordance with the requirements of the Accounts and Audit Regulations and proper practices.'	Through the act of formally approving the accounts the Council asserts that it has prepared those accounts in the way prescribed by law and in accordance with proper practices.
2. 'We maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption and reviewed its effectiveness.'	This statement covers the Council's responsibility to ensure that its affairs are managed in accordance with proper standards of financial conduct and arrangements exist to prevent and detect fraud and corruption. The Council also asserts that it has tested those arrangements at least once in the year to make sure they are working in an adequate and effective way.
3. 'We took all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice which could have a significant financial effect on the ability of the Council to conduct its business or on its finances.' 4. 'We have provided proper opportunity during the year for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations.'	These statements cover the local Council's responsibility to act within the law and to put in place proper arrangements to ensure that its financial affairs are conducted in accordance with the law and relevant regulations, including providing the opportunity for electors to exercise their rights to inspect the financial records and ask questions of the auditor. The third statement confirms that the Council has only done what it has the legal power to do and the fourth statement, confirms that it has during the year allowed all persons who may be interested the opportunity to exercise their rights.
5. 'We carried out an assessment of the risks facing the Council and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.'	These representations cover the Council's responsibility to develop, implement and regularly monitor the effectiveness of systems of internal control covering: <ul style="list-style-type: none"> • the overall control environment, including internal audit;

<p>6. 'We maintained throughout the year an adequate and effective system of Internal Audit of the Council's accounting records and control systems.'</p> <p>7. 'We have taken appropriate action on all matters raised in reports from internal and external audit.'</p>	<ul style="list-style-type: none"> • the identification, evaluation and management of operational and financial risks; • budgetary control and monitoring arrangements; and • the documentation and application of control procedures.
<p>8. 'We considered whether any litigation, liabilities or commitments, events or transactions, occurring either during or after the year-end, have a financial impact on the Council and, where appropriate have included them in the accounting statements.'</p>	<p>This statement covers the Council's responsibility to conduct its financial affairs and to put in place proper arrangements to ensure that its financial standing is soundly based. This statement provides assurance that the Council has considered and disclosed in the Annual Return all matters relevant to its business, including any relevant events which have taken place in the period between the end of the financial year being reported and the date of the Annual Return, which could have an impact on its ability to continue its work.</p>
<p>9 N/A</p>	

3.6 Statement 1 cannot be approved before Council receives the Statement of Accounts for Approval which will be at the meeting on 26th June

Peter Herbert
Town Clerk

Section 2 – Annual governance statement 2013/14

We acknowledge as the members of:

Council/Meeting

our responsibility for ensuring that there is a sound system of internal control, including the preparation of the accounting statements. We confirm, to the best of our knowledge and belief, with respect to the accounting statements for the year ended 31 March 2014, that:

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

This annual governance statement is approved by the council and recorded as minute reference

dated

Signed by:

Chair

dated

Signed by:

Clerk

dated

*Note: Please provide explanations to the external auditor on a separate sheet for each 'No' response. Describe how the council will address the weaknesses identified.

LITTLEHAMPTON TOWN COUNCIL

Non-Confidential

Committee: Governance and Audit Committee

Date: 13 May 2014

Report of: The Town Clerk

Subject: Internal Audit Update

1. Summary

- 1.1 This report updates on the appointment of a new Internal Auditor. The Internal Audit – Terms of Reference & Engagement and The Strategic Internal Audit Plan are attached as Appendices 1 & 2 for reference.

2. Recommendation

The Committee is RECOMMENDED to

- (1) Approve the appointment of Mulberry & Co. as the Council's Internal Auditor for an initial period of 2 years.
- (2) Consider and update if necessary the Internal Audit – Terms of Reference & Engagement.
- (2) Remove the auditing of individual services by the Internal Auditor from the Strategic Internal Audit Plan.

3. Background

- 3.1 The existing Internal Audit – Terms of Reference & Engagement requires that the Council's Internal Auditor is changed every 5 years; therefore at the request of this Committee the Town Clerk & RFO have sought suitable candidates. Three potential candidates have been interviewed and Mulberry & Co. is recommended to most fit the Council's needs.
- 3.2 Mulberry & Co. are Chartered Certified Accountants who currently audit over 30 Town Councils per annum. They are also the registered Auditors to SALC.
- 3.3 Mulberry & Co. offer an Internal Audit service in two parts; the first concentrates on the systems and procedures and the second on the more financial aspects. These are carried out in the Autumn and Spring respectively. As part of the process they will provide a written plan and other associated information so that the Council can fulfil its obligations in respect of the effectiveness of the Internal Audit, competence and independence. At the end of the assignment they provide a management letter that can be discussed with Council, via the Governance & Audit Committee.
- 3.4 As an addition to the legally required work the previous Internal Auditor looked at 2 services a year on a rotating basis as per the Strategic Internal Audit Plan (Appendix 2). The process has basically been to document who does what for each service. This has not necessarily proved particularly beneficial and it is recommended that the Internal Audit of the specific services is removed from

the Internal Audit Plan, while leaving the option for the Council to approve any additional project work or contingency work which may require doing from time to time.

- 3.5 The Audit of financial aspects of the services e.g. Project 82 and Museum will still be audited as part of the Audit of Financial Systems and Accounting records.
- 3.6 Members are asked to review the current Internal Audit – Terms of Reference & Engagement, to make sure that all requirements are included.
- 3.7 The opportunity remains for the Committee to undertake one in depth service or part service review each year.

4. Financial Implications

- 4.1 The current Internal Auditor charges £1,000pa for 3 visits & reports. Mulberry & Co. charge £50 per hour plus £0.45p per mile + VAT. There is no charge for travel time. A half day would be £200+vat and travel costs a full day £375+vat and travel costs. Services as outlined in paragraph 3.3 – (2 visits per year) should fall within the set budget but costs will be slightly higher if 3 visits are required.

Peter Herbert
Town Clerk

LITTLEHAMPTON TOWN COUNCIL

Strategic Internal Audit Plan

Activity	Comment
Corporate Management	
Regulatory Framework Review of Standing Orders, Financial Regulations and Council Minutes	To ensure the Council has a robust framework in place and that it acts in accordance with its Standing Orders and Financial Regulations.
Risk Management, Fraud and Insurance Cover	To ensure appropriate risk management, policies and insurance arrangements are in place.
Budgetary Control process & reserves	To ensure the Council has appropriate procedures in place for its future financial management and that performance against budget is being monitored. To ensure that the budget has been properly prepared and balanced and that the precept is adequate.
Financial Systems & Accounting Records	
Payments Payroll Creditors Ordering & Tendering Petty Cash	<p>To ensure payments are made in accordance with the Council's approved procedures and budgets and that appropriate documentation is held. To ensure that appropriate systems and documentation is in place to support VAT, PAYE, NIC and Pension fund claims and payments.</p> <p>To ensure that the appropriate internal controls are in place.</p>

Activity	Comment
Financial Systems & Accounting Records	
Receipts Sales Ledger Room Hire Bookings Cash & Banking	<p>To ensure that appropriate action is taken to invoice and collect income due to the Council.</p> <p>To ensure that appropriate systems and documentation are in place to keep cash and cheques secure. To ensure accounting records are kept up to date to reflect receipts and minimise the likelihood of money being misappropriated.</p> <p>To ensure that the appropriate internal controls are in place.</p>
Cashbook Bank Reconciliations Asset Register Loans & Investments Accounting Systems	<p>To ensure payments and receipts are being regularly banked, entered onto the computerised system and agreed to the bank statement.</p> <p>To ensure the Councils holds appropriate records which are regularly updated.</p> <p>To Ensure that the accounting systems have been properly kept throughout the year and are up to date.</p>
Final accounts	<p>To ensure that the accounting records agree with the Statement of Accounts (Annual Return).</p> <p>To ensure that the Statement of Accounts has been prepared in accordance with all relevant legislation and proper accounting practices. (The Accounts & Audit (England) Regulations 2011 and The Governance & Accountability in Local Councils- A Practitioners guide. Refer)</p>

Any additional project work or contingency work would require prior approval by the Clerk and/or Council.
The audit focus within each section of the plan will be varied each year following discussions with the internal auditor.
Individual Services will be audited on a rolling Programme

Service	Comment and year
Museum	2014/15
A Team	2014/15
Room Bookings	2015/16
Allotments	2015/16
Events & Tourism	2016/17
Grants	2016/17
Project 82	2017/18
Museum	2017/18

LITTLEHAMPTON TOWN COUNCIL

INTERNAL AUDIT - TERMS OF REFERENCE & ENGAGEMENT

1. Introduction

- 1.1 Littlehampton Town Council is required under the Accounts and Audit (Amendment) (England) Regulations 2006 to make provision for Internal Audit in accordance with proper internal audit practices as found in the *Governance and Accountability for Local Councils in England and Wales, a practitioners' guide*, issued by NALC and SLCC.

2. Roles and Responsibilities

- 2.1 Internal Audit is an assurance function that provides an independent and objective opinion to the Council on the control environment comprising risk management, control and governance by evaluating its effectiveness in achieving the Council's objectives. It objectively examines, evaluates and reports on the adequacy of the control environment as a contribution to the proper economic, efficient and effective use of resources.
- 2.2 Internal Audit is responsible for conducting an independent appraisal of all of the Council's activities, financial or otherwise, which is compliant with these terms.
- 2.3 The Audit Plan translates this scope into areas for review based on an assessment of risk. Internal Audit work will be alert to risks and exposures that could allow fraud and corruption.
- 2.4 The Council will be responsible for annually reviewing the effectiveness of Internal Audit provision and the outcome of this review will be considered as part of the Annual Governance Statement.

3. Scope

Internal Audit's scope is not limited to financial systems or records, but will extend to all activities of the Council as this reflects the control environment and governance system.

4. Audit Planning

The annual audit plan will be agreed between the Town Clerk, Responsible Financial Officer and the Internal Auditor and will be endorsed by the Council via the Governance & Audit Committee.

5. Reporting Requirements

- 5.1 The Internal Auditor reports to Council via the Governance & Audit Committee.

- 5.2 The Governance & Audit Committee is responsible for recommending the annual internal audit plan to Council and receiving an annual report from the Internal Auditor showing a summary of audit work over the year. Recommendations from the report will be forwarded to the relevant Service Committee for discussion and if appropriate implementation.
- 5.3 Should the Internal Auditor feel that the resources made available are not sufficient to meet their responsibilities and achieve their objectives this must be reported to the Town Clerk or RFO and if appropriate the Governance & Audit Committee.
- 5.4 The Internal Auditor shall provide one report per year, for the Audit Committee, detailing all audit work carried out and any recommendations made to correct weaknesses. An interim report to management shall also be provided after each visit.

6. Independence and Competence

- 6.1 The Internal Auditor will remain independent of the activities that it audits and not undertake work for the Council which would prejudice their ability to give an objective and independent view.
- 6.2 Auditors have no operational responsibilities and thus are not required to manage or deliver non-audit activities. In addition Internal Auditors will be rotated at least every five years to increase this independence.
- 6.3 The Internal Auditor should hold an accepted accounting qualification and have experience with control systems and risk management matters.

7. Access to Information, Members and Officers

- 7.1 The Council will make available such documents, information and explanation which relate to its accounting and other records as appear necessary for the purpose of the Internal Audit.
- 7.2 The Internal Auditor will have access to officers and Members as necessary for the purpose of the audit.

8. Period of Engagement

- 8.1 The Internal Auditor shall be appointed for a period of 2 years and up to a maximum of five years.

LITTLEHAMPTON TOWN COUNCIL

Non-Confidential

Committee: Governance and Audit Committee

Date: 13th May 2014

Report by: Town Clerk

Subject: Aim and Objectives

1. Summary

- 1.1 A review of the Town Council's Aims and Objectives has been undertaken and Members are asked to consider the attached document which has been revised to ensure they are relevant and reflect the views of Council.

2. Recommendations

- 2.1 The Committee is RECOMMENDED to
Comment upon and recommend to Council the revised Aims and Objectives.

3. Financial Implications

There are no direct financial implications arising from this report.

Peter Herbert
Town Clerk

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
1. Allotments		
<p>To meet, where practical and reasonable, demand from the community for allotments.</p> <p>To work closely with the Littlehampton Allotments & Leisure Gardens Association (LALGA) to ensure that the needs and views of the plot holders are considered.</p> <p>To review rents for allotment plots annually and to notify plot holders at least 12 months in advance of any increase.</p> <p>To work with plot holders to promote “green” initiatives and practices.</p> <p>To keep the allotment sites neat and tidy, ensuring that open areas and unlet plots are kept in good order.</p> <p>To seek new provision for additional allotments as a result of new housing developments.</p> <p>To only let plots to residents of Littlehampton. Existing Plots let to non-residents to be continued until the agreement ends.</p>	<ul style="list-style-type: none"> To deliver new plots on the “Church Land” as a result of the North Littlehampton development. To deliver new plots on the “Courtwick” site as a result of that development. Promote the benefits of allotments to residents and encourage all sectors of the community to take up plots. Seek to let all available plots, with the exception of “landlocked” plots, which will either be the subject of short term lets or held vacant until an opportunity becomes available to realign neighbouring plots to allow full access. Maintain and keep in a neat and tidy manner all open spaces and empty plots, through mowing/strimming/ rotovating plots on a monthly basis between the months of March to November (inclusive) and as required during December to February (inclusive). Encourage plot holders to recycle garden waste and minimize the use 	<ul style="list-style-type: none"> To deliver new plots on Holly Drive site and in “North Littlehampton” as a result of North Littlehampton development.

	<p>of water.</p> <ul style="list-style-type: none"> • Hold four meetings of the Allotment Working Group each year. • Consider rental fees set in neighbouring areas, when undertaking rent reviews. • Advertise availability of plots if the number of vacant plots exceeds 5%, on any one site, of the total number of plots available (excluding "landlocked" plots). • Ensure that the District Council, as planning authority, is aware of the Town Council's duty to meet demand for allotments, where there are new housing developments. • Encourage plot holders to report crime and anti-social behavior to the Police and Town Council. • Ensure that plot holders are aware of the need to report the occurrence of notifiable weeds such as ragwort. • Assist, where possible and reasonable, people in the community, with disabilities, to run an allotment. • Maintain a pest control contract with a properly qualified organisation or business. • Seek to let a plot within four weeks of it becoming vacant. 	
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	<ul style="list-style-type: none"> • Conduct a monthly inspection by Members of all the sites at least twice a year and by Officers at least monthly. • Take action on poorly or non-cultivated plots in line with an annually reviewed timetable:- • Deposits to be taken for new plots to cover the cost of ground maintenance when plots vacated. • To encourage the use of electronic media to complete forms for applying for an allotments and renewals. 	
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POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
<p>2. Parks, Gardens, Roundabouts & Street Scene</p> <p>To maintain Rosemead Park, Town Centre Roundabouts, the War Memorial and all other Town Council owned open spaces as valuable community resources.</p> <p>To provide an attractive environment in and around the town for both visitors and residents.</p>	<ul style="list-style-type: none"> • Replace the play equipment making use of possible S106 funds from the development of the Elm Grove School site. • Encourage the use of Rosemead Open Space for relaxation and recreation. • Maintain the play equipment through regular checks to ensure it is safe for use by children and young people. <p>The Town Council will:</p> <ul style="list-style-type: none"> • Maintain the four Town Centre Roundabouts to a high standard. • Provide attractive planters and gateway displays at the approaches to the Town. • Work within the Street Scene Enhancement contract to ensure all graffiti is removed promptly and that the Town is kept clean and tidy. • Work with the Tree Warden, Highways Authority and residents to identify areas for tree planting to restore the Town's tree lined streets. 	<ul style="list-style-type: none"> • Undertake regular tree surveys (5 yearly – next in 2019)

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
3. Street Lighting		
<p>To ensure the good maintenance of the Town Council's street lighting.</p> <p>Wherever possible to pass responsibility for LTC Street Lights to WSCC, relevant residents' associations or private landlords</p>	<ul style="list-style-type: none"> Monitor the performance of the County Council's PFI contract to include the replacement programme for the Town Council's own street lights in the town. 	
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
4. Community		
<p>Regeneration</p> <p>To support and promote a vibrant and prosperous Town.</p> <p>To work in partnership with public, private and voluntary sector bodies to attract investment to the Town.</p> <p>To exhort the principal authorities to prioritise the need to support and encourage the retail offer in the town centre to ensure its continuing health and the long term future of the town.</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> Work closely with local businesses, community groups and residents in progressing initiatives for the benefit of the Town. Pursue an ambitious, but realistic, programme of regeneration for the Town Centre. Look to retain the concessionary parking scheme in the Town centre car parks and free on-street parking (with proper enforcement of parking regulations). Work with relevant authorities to 	<ul style="list-style-type: none"> Look to work with the District Council and others to draw up a cohesive and comprehensive plan for the future economic healthiness of the Town Centre and Wick, through strategic review of the retail centres.

<p>Assist residents to form community Groups and Residents Associations</p> <p><u>Community Safety</u> To work with the Police and other relevant agencies to make Littlehampton a safer place.</p> <p>To facilitate access to the Police for all of the Community.</p> <p><u>Grants and Community Organisations</u> To prioritise, within the budget, funding for local community groups, either through Service Funding Agreements or through general community grants.</p> <p>In doing this the Town Council will:-</p> <ul style="list-style-type: none"> • Assist local organisations to achieve their respective aims and objectives where these benefit the Town and the local community. • 'Pump-prime' initiatives to enable schemes to emerge, whilst not committing to long term revenue support. • Assist community groups to attract funding from local and national organisations to benefit local residents. • Identify, on occasions, specific needs and apply resources to meet 	<p>ensure that future developments address the needs of the Town, as a whole, including regeneration; deprivation; commerce; education; infrastructure and facilities.</p> <ul style="list-style-type: none"> • Strive for improvements to strategic transport links, including the A27 Arundel by-pass; Arun Chord rail link and bus services. • Co-ordinate the Christmas illuminations for the town and work in partnership with the traders to provide a welcoming festive shopping experience. • Support the Town Centre Partnership and Littlehampton Town Centre Regeneration Officer in the delivery of joint projects for the betterment of the Town Centre. <p>The Town Council will:</p> <ul style="list-style-type: none"> • Participate in policing and community safety initiatives, consultation and forums, actively representing the Town and its citizens. <p>The Town Council will:</p> <ul style="list-style-type: none"> • Endeavour to increase awareness
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<p>them.</p> <ul style="list-style-type: none"> • Provide Service Funding Agreements where appropriate, to assist with sustainable service provision. • Restrict eligibility so that any organisation can only receive one grant per calendar year. <p><u>Community Centres</u></p> <p><i>To provide a high quality community facility in the town centre.</i></p> <p><i>To provide, as part of the North Littlehampton development, a high quality community centre as a focal point of that development.</i></p>	<p>of grant funding</p> <ul style="list-style-type: none"> • Identify groups who have previously not applied for General Grant funding. • Allocate all grants in accordance with agreed criteria reviewed by the Community Resources Committee from time to time. • Actively seek other possible sources of grant funding which might be attracted through 'pump priming'. • Maintain a strong audit trail to monitor Grant funding. • Make available criteria, timetable and application forms on the Town Council's website. • Maximise the uptake of grant funding by disseminating information via partner agencies such as the Voluntary Action Arun & Chichester. • Support, through Small Arts Grants, specific local arts initiatives. • Support environmental improvements to neighbourhoods through the Littlehampton in Bloom grants. 	
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	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Draw up and agree a scheme for a new community facility on the site of the former Arun District Council housing offices in Church Street. • Promote and increase community use of the Southfields Jubilee Centre. • Provide accessible and affordable community premises for hire to members of the community. • Seek a reasonable income to offset operation costs. 	<ul style="list-style-type: none"> • Deliver the new Church Street and North Littlehampton Community Centres/facilities.
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POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
5. Press & Publicity		
<p>To provide quality information through a range of media, including the website; press releases; notice boards and the Progress Newsletter; including Social media such as Facebook.</p> <p>To actively promote all of the Councils assets to maximise use and income.</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Provide up to date information to the general public on its activities and services. • Use these media to market the Town to potential visitors and to promote events and activities. • Publish the Progress Newsletter four times a year. • Maintain the notice boards • Introduce e-newsletters for local residents. 	
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
6. Museum		
<p>To provide a high quality Museum facility to promote and preserve Littlehampton's cultural heritage.</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Provide access, wherever possible, to its collections. • Inform and educate the community about Littlehampton's heritage. • Promote Littlehampton's cultural heritage through an outreach programme, and a varied exhibition and events calendar. • Ensure that all Museum policies are kept timely and relevant and that a five year Forward Plan for 	

	<p>the service is in place.</p> <ul style="list-style-type: none"> • Provide a cultural service that acts as a source for information, inspiration, enjoyment and education. • Conserve, safeguard and archive the Museum collections to preserve them for future generations. • Acquire items relating to Littlehampton and its wider collecting district, in order to build the collection and safeguard items for future generations. • Provide appropriate facilities to safeguard the collections. • Interpret, present and exhibit the collection in order to promote interest in Littlehampton's heritage and the historical arts. • Continually improve visitor numbers to the Museum. • Support the volunteer provision at the Museum, in order to provide a better service for the community. • Seek to increase shop sale income. • Obtain external funding, to fund improvements to the service. • Support the Sussex Finds Liaison Officer, by providing access to a computer and the use of a private room to meet with the public. 	
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	<ul style="list-style-type: none">• Support the Portable Antiquities Scheme.• Maintain a Collections Development Policy in line with the Museums Association (MA) code of ethics.• Ensure that the Museum maintains Accreditation.• Work with the Sussex Museums Group to ensure that the Museum is in line with current thinking and policy making.• To answer public enquiries within one month.• To introduce and maintain a website that widens access to the Museum's collections and promotes the service.	
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POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
<p>7. Arts, Sports & Events</p> <p>Community Arts To deliver an innovative programme of community art activities to help local people to express their creativity, imagination and self expression through all art media, provide a showcase opportunity for local artists and enable local people to develop their artistic skills through signposting and support.</p> <p>Community Sport To support the development of a programme of sporting, recreational and physical activities to enable local people to experience new sports and activities and to keep fit and healthy. These programmes will be both universally accessible and targeted at specific communities.</p> <p>Community Events The Town Council will facilitate, sponsor, support and provide a timetable of community events both universal and targeted to celebrate Littlehampton and the different special interests and social groups of the community.</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Examine new ways to raise the profile of the arts in the community. • Work in partnership with other statutory agencies regarding public art installations for Littlehampton. • Provide continued support to the Spectrum Arts Drop-in. • Encourage the development of sports and art by establishing and supporting community led initiatives. • Provide administrative support to the Littlehampton Sports Forum, which will encourage sports groups to work together to improve individual and group performance, share knowledge and promote excellence. • Provide a Sporting Excellence grant programme to enable emerging young sportsmen and women to progress with their chosen discipline. • Deliver at least two High Street based activities as part of its annual events programme 	

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
8. Tourism To work with relevant authorities, local tourist attractions and related businesses to promote tourism.	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Work with authorities, tourism providers and residents to ensure that the need for Littlehampton's infrastructure to meet the needs of local residents and visitors is addressed by relevant organisations. • Support the development of initiatives which increase opportunities for local residents and encourage civic pride thus raising the attractiveness of the Town. • Develop innovative methods of promoting the Town so visitor spending is increased. • Improve accessibility to information about the Town to motivate potential visitors and enable them to make plans for their visit. • Instigate a cohesive and integrated approach to maximise the resources allocated for tourism form the public sector. • Encourage a "can do" mentality in the tourism sector. • Encourage investment in the town's tourism economy. 	

	<ul style="list-style-type: none"> • Pursue joint agendas with neighbouring towns. • Maximise the USP (Unique Selling Point) of the River and protect but encourage use of the West Beach/Bank. • Ensure that previous tourism studies are considered and developed. • Identify principal catchment areas and effective methods of promoting Littlehampton as the premier family seaside "day out location" in West Sussex. • Maximise the tourism potential of the Oyster Pond and surrounding area. 	

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
9. Public Conveniences		
To retain and improve the Town's public conveniences	<p>The Town Council will:</p> <ul style="list-style-type: none"> Continue the ongoing partnership funding arrangements with Arun District Council. Review and clarify through a Service Funding Agreement with the District Council the long term refurbishment and improvement of the toilets 	<ul style="list-style-type: none"> To improve significantly at least one of the Town's public conveniences every 6 years.
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
10. Planning & Transportation		
<p>Planning Applications</p> <p>To deal efficiently and openly with planning applications whether they are delegated as part of the devolved planning initiative or when being considered as part of the District and County Councils consultations.</p> <p>To seek high standards of planning design and build, retaining the high quality of the conservation areas and significant buildings in Littlehampton.</p> <p>To deliver, in conjunction with the community and where possible, the key</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> Ensure that the process for commenting on applications remains efficient and transparent. Ensure that all planning applications received from the District and County Council for consideration will be dealt with within the agreed timescale. 	
	<p>The Town Council will:</p> <ul style="list-style-type: none"> Ensure that all major developments 	

<p>objectives of the Littlehampton Neighbourhood Development Plan.</p> <p>Strategic Planning</p> <p>To ensure that the Town Council is involved in the development of major planning initiatives so that the voice of the town is heard and that local people are given the opportunity to be consulted and involved at an early stage.</p> <p>To support the principle of a South Downs National Park and particularly an extension to include the West Bank of the Arun to the coast.</p> <p>Transportation</p> <p>To promote sustainable transport networks and cycle routes.</p> <p>To press for improved traffic management in the Town.</p> <p>To support the need for a Town Bus, addressing severance issues from the North of the Town and to provide access to key services and facilities. To align services with new developments with the Town, through the use of S106 agreements.</p>	<p>address the needs of the Town including regeneration; deprivation; infrastructure and are eco-compliant.</p> <ul style="list-style-type: none"> • Pursue the replacement of telephone and electrical overhead cables with underground cabling and the removal of redundant poles by the utility companies. <p>The Town Council will:</p> <ul style="list-style-type: none"> • Promote the use of public transport and press for improved services. • Support the 'Town Bus' towards the goal of it being self-funded. 	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Work with partners to develop a long-term strategy to ensure the vitality of the Town Centre. <p>The Town Council will:</p> <ul style="list-style-type: none"> • Continue to press the responsible authorities to produce a clear view on the Town's transport infrastructure needs in relation to current and future likely development. • Seek a study by West Sussex County Council on traffic flow and management through the Town.
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POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
<p>11. Youth Services</p> <p>To be committed to the ongoing provision of services to support the development of children and young people.</p> <p>To offer a range of targeted and universal services offering constructive activities, information and support for 8-25 year olds at a number of venues throughout the Town, enabling them to develop the knowledge, attitudes and skills they need to become competent, caring and contributing adults.</p> <p>Partnerships will be pursued to extend these services and develop new ones which support the development of the wider community.</p> <p>To replace Project 82 with a modern youth facility, working, where possible, with voluntary, public and private sector partners.</p> <p>To support and work with local youth organisations to provide a wide range of youth provisions as possible.</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Seek to reduce crime and anti-social behavior and promote health through diversionary activities for young people. • Provide a diverse range of informal learning opportunities both targeted and universal, through the development of a youth work curriculum which is empowering, educative, voluntary and within a framework of equality and diversity. • Develop partnerships with local statutory and voluntary organisations, and build positive relationships between young people and the wider community. • Agree with partners a formal programme to replace Project 82, potentially with a new facility at or near the Keystone Centre. 	<ul style="list-style-type: none"> • To deliver a youth facility to replace Project 82 (and possibly the Keystone Centre).

SECTION 3 INTERNAL SERVICES

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
1. Property		
<p>Manor House To maintain the Manor House in line with its civic importance within the town, its listed building status and its location within a conservation area.</p> <p>To provide a high quality Community Centre on the Manor House site, when funding permits.</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Maximise income through the hiring of its facilities. • Provide meeting rooms at a competitive cost to non-commercial hirers and local organisations. • Seek income from commercial hirers to offset the costs of the venue • Provide versatile accommodation for all activities. • Keep the furnishings and decorations to a high standard or repair and decoration. • Increase the use of the facilities • Promote and publicise availability of the venue 	

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
2. Property Maintenance		
To make responsible provision to secure and maintain Town Council capital assets to a high standard that complies with legislation for public buildings including Health & Safety requirements.	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Keep and maintain the Town Council's buildings in good repair. • Deliver, through the Amenity Team, a rolling programme of general maintenance. 	
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
3. Finance		
<p>To prepare financial statements in accordance with applicable laws and regulations and the Statement of Recommended Practice (SORP) on local authority accounting in the UK.</p> <p>To ensure that the financial statements present fairly the financial position of the Council.</p> <p>To keep proper accounting records ensuring that all financial resources and fixed assets are managed efficiently, effectively and equitably.</p> <p>To manage prudently the Town Council's treasury balances.</p>	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Prepare an annual budget to meet all financial liabilities during the year. • Comply with financial regulations. • Keep accurate records of all financial transactions and affairs. • Advise Councillors immediately of any financial irregularities. • Prepare the end of year accounts for audit and public inspection. • Inspect, legitimise, authorise and make payment of invoices received by the Council. • Facilitate the end of year audit of accounts in compliance with Finance and Audit Regulations. • Regularly report to each spending 	

	Committee the financial position relating to their budget.	
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
4. HR Training To ensure that comprehensive employment policies and procedures are in place.	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Provide continuing professional development for all employees and, through the Staff Appraisal process, prepare annual workforce training and skills improvements schedules. • Review regularly policies and procedures. 	
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
5. Democratic Representation/Corporate Management To provide a transparent and high quality structure for effective decision making. The Town Council will always take a position representing the best interests of the town and the Council. To work to achieve the devolution of services, where service improvements can be made, whilst not disadvantaging local residents and avoiding double taxation.	<p>The Town Council will:</p> <ul style="list-style-type: none"> • Arrange and conduct meetings in compliance with its Standing Orders. • Comply with legislative requirements. • Ensure an efficient service to Councillors and the public • Provide an efficient service in handling Mayoral engagements, observing all protocols. • Promote the services of the Council and encourage a wider public interest. 	

SECTION 4 GENERAL AND MISCELLANEOUS

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
1. Local Businesses Revise Policy The Town Council will promote the use of local business in all of its services.		
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
2. Littlehampton Harbour To recognise the historical and practical importance of the Town developing a leisure-based harbour and other financially-robust river-related industry.		
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
3. General Health and Wellbeing Policy To work with the relevant agencies to support and improve health provision in the Town and secure additional and high quality medical facilities.		

POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
4. Coastal Defences To work closely with the relevant bodies to pursue adequate provision for Coastal Defences and Flood Management to protect the Town from flooding		
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
5. Equality and Diversity and Disability To maintain an Equality and Diversity Policy, which will regularly be reviewed. To ensure that all Town Council amenities and services comply with Disability Discrimination legislation.		
POLICY	AIMS AND OBJECTIVES	
	(1 – 3 YEARS) SHORT TERM	(4+ YEARS) MEDIUM/LONG TERM
6. Health and Safety To have a Health and Safety Policy and Accident Reporting Procedure. The Policy and reporting procedure shall be regularly updated.		

LITTLEHAMPTON TOWN COUNCIL

Non-Confidential

Committee: Governance and Audit Committee

Date: 13th May 2014

Report by: Town Clerk and Responsible Financial Officer

Subject: Scheme of Delegation

1. Summary

- 1.1 Members are asked to consider the attached Scheme of Delegation document (appendix 1) which has been revised to reflect the Government guidance as set out in The Openness of Local Government Bodies Regulations 2014 (appendix 2). These documents will also be considered by the Policy and Finance Committee at their meeting on 12th May 2014 and the Town Clerk will report the feedback from that meeting to this Committee.

2. Recommendations

- 2.1 The Committee is RECOMMENDED to

Comment upon and recommend to Council the revised Scheme of Delegation.

3. Financial Implications

There are no direct financial implications arising from this report.

Peter Herbert
Town Clerk

LITTLEHAMPTON TOWN COUNCIL

SCHEME OF DELEGATION TO OFFICERS

1. GENERAL

1.1 Powers

This Scheme of Delegation is made pursuant to the Local Government Act 1972 section 101 and is part of Littlehampton Town Council's Standing Orders.

1.2 Preliminary

- (a) Where the Council, a Committee or Sub-Committee or this Scheme of Delegation to Officers gives authority for the doing of any thing the officer designated shall be entitled to take all necessary steps for the doing of such thing.
- (b) Where authority is given but without naming an officer such authority shall be deemed as authorising the Town Clerk to take such steps.
- (c) The Town Clerk may exercise the powers delegated to any other Officer, except in relation to those functions allocated to the Finance and Resources Manager as Responsible Financial Officer (unless deputising for him/her) (within the meaning of s 151 of the Local Government Act 1972) and to the Monitoring Officer (within the meaning of ss 5, 5A of the Local Government and Housing Act 1989).
- (d) The Town Clerk is the head of paid service.
- (e) The Finance and Resources Manager is the Responsible Financial Officer.
- (f) The Monitoring Officer of Arun District Council is the Monitoring Officer.
- (g) The Heads of Service for the purpose of this Scheme of Delegation:
Finance and Resources Manager
Assistant Town Clerk
Events and Publicity Manager
Museum Curator
Major Projects Manager
Project 82 Manager
- (h) In the event that a Head of Service's post ceases to exist or his or her responsibilities are transferred to another Head of Service (as the case may be), temporarily or permanently, then the powers given by this Scheme of Delegation shall be exercisable by the officer in whose area of responsibility the power falls to be exercised.

- (i) Any reference to an Act of Parliament includes reference to any subordinate legislation made under it and to any modification and/or replacement of it or of such subordinate legislation.
- (j)(i) The Finance and Resources Manager shall be the first deputy for the Town Clerk and the Assistant Town Clerk shall be the second deputy if both the Town Clerk and Finance and Resources Manager are absent.
- (j)(ii) The Town Clerk shall deputise for the Responsible Financial Officer in their absence.
- (k) This Scheme of Delegation shall come into effect on 1st June 2014.
- (l) Nothing in this Scheme of Delegation shall prejudice the validity of any actions taken by the officers before 1st June 2014 under any previous scheme or delegation.

1.3 Absence of Town Clerk (and deputies as set out in paragraph 1.2 (j) (ii))

The Town Clerk may appoint one or more deputies to exercise his or her functions owing to absence or illness and such deputy is or such deputies are authorised to exercise the functions of the Town Clerk pursuant to the Standing Orders, Financial Regulations and this Scheme of Delegation except in relation to those functions allocated to the Finance and Resources Manager as Responsible Financial Officer (within the meaning of s 151 of the Local Government Act 1972 and ss 112-114A of the Local Government Finance Act 1988 (unless he or she is qualified under s 113)) and to the Monitoring Officer (within the meaning of ss 5, 5A of the Local Government and Housing Act 1989).

1.4 General Principles

Where decisions are taken by officers under delegated powers the following principles and conditions shall apply:

- (a) Powers shall be exercised in accordance with the Policies, Standing Orders and Financial Regulations of the Council.
- (b) The officer exercising such power shall give effect to any resolution of the Council, Committee or Sub-Committee upon any matter of principle or policy in relation to the functions concerned.
- (c) Where an officer is authorised to take decisions, action to implement such decisions shall be taken in the name of (but not necessarily personally by) that officer but where the officer is the Town Clerk or a Head of Service he or she may authorise any other officer or an officer of another body referred to and by virtue of an agreement under the Local Government Act 1972 Section 113 specifically or generally to take such action either in the name of the Town Clerk or the Head of Service (as the case may be) or the sub-delegate's own name. Such sub-delegation must be evidenced in writing and a copy of the written

authority must be sent to the Town Clerk, the Finance and Resources Manager and Assistant Town Clerk.

- (d) The officer dealing with a matter shall arrange any inter-team or member-level consultation that shall be required. If inter-team agreement is not reached at Head of Service level, the matter shall be referred to the Town Clerk for consideration.
- (e) In any case where the officer exercising the power considers that a new departure in policy is likely to be involved, or if the implications are such that the officer considers that such course is necessary, the matter shall be referred to the Town Clerk for consideration before reference to the appropriate body.
- (f) Decisions within the meaning of The Openness of Local Government Bodies Regulations 2014/(to be confirmed) taken by officers shall, where indicated, be reported to the Town Clerk, who shall record the action taken in a register which shall be available for inspection in hard copy and online by Members and the public.
- (g) The Town Clerk may decide to seek Council, Committee or Sub-Committee authority rather than to exercise delegated authority in any matter.
- (h) The exercise of delegated authority shall be subject to there being appropriate and adequate budgetary provision both in the year of exercise and future years. Where an officer ('the instructing officer') requests another officer to exercise powers delegated to the other officer the instructing officer shall ensure that appropriate and adequate budgetary provision has been made.
- (i) The exercise of delegated authority shall be documented in the prescribed form (including the use of any electronic database) and copies sent to the Town Clerk and Finance and Resources Manager.
- (j) Any decision which could attract legal liability to the Council shall be taken in consultation with the Town Clerk.
- (k) Any decision which has financial implications shall be taken in consultation with the Council's Responsible Financial Officer (within the meaning of the Local Government Act 1972 section 151) or his or her deputy.
- (l) Any decision which could involve the exercise by the Council's Monitoring Officer of any of his or her powers shall be taken in consultation with him or her or in his or her absence, the Deputy Monitoring Officer.
- (m) The exercise of functions delegated under the Scheme of Delegation shall have regard to all relevant considerations and shall not take into account irrelevant matters. In particular officers exercising delegated authority must take proper account of the Council's duties to promote

compliance with the Convention rights scheduled in the Human Rights Act 1998, to reduce crime and disorder, to promote harmonious race relations and to assess and manage relevant risks.

2. POWERS DELEGATED TO OFFICERS

Function

2.1 Appointment of Staff

(a) The selection, interview and appointment of candidates for appointment to all posts on the establishment not specifically the responsibility of the Council.
(See Appendix 1 for the interview panel criteria).

(b) The temporary appointment of relief staff where essential during periods of absence through maternity, sickness or holidays or as a result of resignation.

2.2 Discipline and Dismissal of Staff

The discipline of all employees and, with the agreement of the Town Clerk, the dismissal of any employee in accordance with the Council's disciplinary procedures.

2.3 Overtime, Leave etc

(a) The authorisation of overtime working by personnel where avoidable.

(b) The approval of the carrying over of up to five days' leave.
(There is an automatic entitlement to up to 3 days).

(c) Approval of taking more than 2 weeks consecutive leave.

Delegated to	Deputy	Consultation
Town Clerk & Heads of Service within the criteria of Appendix 1		Finance & Resources Manager
Town Clerk	Finance & Resources Manager	Finance & Resources Manager
Town Clerk & Heads of Service		Finance & Resources Manager
Town Clerk	Finance & Resources Manager & Assistant Town Clerk	Heads of Service
Town Clerk	Finance & Resources Manager & Assistant Town Clerk	
Town Clerk	Finance & Resources Manager & Assistant Town Clerk	Finance & Resources Manager

(d) The granting of concessionary leave on compassionate grounds up to seven days a year.

(e) The granting of unpaid leave in accordance with the Council's local conditions of service.

(f) The authorisation of timesheets, mileage and Subsistence claims and other expenses.

2.4 Adjustment to Staffing

The authorisation of minor regradings and accelerated increment progression within grade.

2.5 Visits etc.

The authorisation of attendance by staff at such meetings, discussion groups, exhibitions, and conferences as may appear to be desirable in the interests of the Council and the granting of any reasonable and proper expenses.

2.6 Entertainment

The incurring of expenditure on the reception and entertainment by way of official courtesy of persons representative of or connected with local government or other public services whether inside or outside the United Kingdom in the sum not exceeding an annual total of £500.

Delegated to Town Clerk	Deputy Finance & Resources Manager & Assistant Town Clerk	Consultation Finance & Resources Manager
Town Clerk	Finance & Resources Manager & Assistant Town Clerk	Finance & Resources Manager
Town Clerk, Finance & Resources Manager & Assistant Town Clerk		Finance & Resources Manager
Town Clerk	None	Finance & Resources Manager
Town Clerk & Finance & Resources Manager	Assistant Town Clerk	
Town Clerk	Finance & Resources Manager	None

2.7 Contracts

(a) In relation to his or her area of responsibility, the acceptance of tenders where required and the entering into of contracts for supplies or services or the carrying out of works in line with Contract Standing Orders.

(b) The compilation of select lists of tenderers.

(c) The selection of suitable persons for contracts in line with Contract Standing Orders.

(d) The exercise of the power given by Paragraph 2.7 shall be subject to the requirements of Contract Standing Orders and all other requirements relating to the Council's contracts.

2.8 Licences, Notices etc.

(a) Subject to this Scheme of Delegation the determination of any application for permissions, consents or licences or for registration.

(b) The issue and service of any notice, fixed penalty notice or requisition for information concerned.

(c) The carrying out of works in default following non-compliance with any notice.

Delegated to	Deputy	Consultation
Town Clerk	Assistant Town Clerk (1) Finance & Resources Manager (2)	Finance & Resources Manager
Finance & Resources Manager	Town Clerk	Assistant Town Clerk (1) Major Projects Manager (2)
Town Clerk	Assistant Town Clerk (1) Finance & Resources Manager (2)	Finance & Resources Manager
Town Clerk	Assistant Town Clerk	
Town Clerk	Assistant Town Clerk	
Town Clerk	Finance & Resources Manager (1) & Assistant Town Clerk (2)	Finance & Resources Manager

(d) The responding to formal consultations from external organisations.

(e) Subject to Paragraph 4.1 (legal proceedings), the management of any appeal, challenge or objection process against or in support of any of the Council's decisions.

2.9 Contract Standing Orders etc

The taking of any action authorised by Contract Standing Orders and Financial Regulations.

Delegated to Town Clerk	Deputy Assistant Town Clerk (1) Finance & Resources Manager (2)	Consultation Relevant Committee Chair
Town Clerk	Finance & Resources Manager (1) & Assistant Town Clerk (2)	Finance & Resources Manager
Town Clerk & Finance & Resources Manager	Assistant Town Clerk	

3. POWERS DELEGATED SOLELY TO THE TOWN CLERK

Function

3.1 Urgency

The taking on the Council's behalf of any action requiring urgency.

Deputy	Consultation
Assistant Town Clerk (1) Finance & Resources Manager (2)	Town Mayor or Deputy Mayor for Council matters. Relevant Committee Chair where matter delegated to Committee and Finance & Resources Manager where finance is involved.
Finance & Resources Manager	Finance & Resources Manager & Heads of Service
Finance & Resources Manager (1) & Assistant Town Clerk (2)	Finance & Resources Manager & Heads of Service

3.2 Staff

(a) The confirmation or otherwise of appointments on completion of probationary period.

(b) The implementation of the Council's approved training policy including the assessment of training needs, the approval of attendance at courses as necessary and the determination of appropriate conditions.

(c) The determination of the need to fill vacant posts and the advertising of any vacancy in the Council's establishment. (Subject to Appendix 1).

(d) The implementation of all the conditions of service on which the Council's staff are employed.

(e) The application of all legislation and regulations relating to industrial relations, employment and health and safety.

(f) The application of the Pensions Regulations including admissions to the scheme.

3.3 Planning Applications etc.

The seeking of planning permission by the Council.

3.4 Elections

The taking of any action required in connection with the organisation or holding of local elections or referenda.

3.5 Emergencies, disasters and emergency planning

The exercise of the Council's powers in respect of emergencies, disasters and emergency planning.

3.6 Planning Agreements

The entering into of planning or other agreements regulating or controlling the use or development of land.

Deputy

Finance & Resources Manager (1) & Assistant Town Clerk (2)

Finance & Resources Manager (1) & Assistant Town Clerk (2)

Finance & Resources Manager (1) & Assistant Town Clerk (2)

Finance & Resources Manager

Assistant Town Clerk (1),
Major Projects Manager (2)

Finance & Resources Manager

Assistant Town Clerk (1)
Finance & Resources Manager (2)

Major Projects Manager (1)
Assistant Town Clerk (2)

Consultation

Finance & Resources Manager
Assistant Town Clerk (where that post has line management responsibilities)

Finance & Resources Manager

Finance & Resources Manager

Finance & Resources Manager

3.7 Asset Management

The determination as land owner or landlord of applications for licences, consents and permissions in respect of the Council's buildings or land.

3.8 Community Safety

The implementation of the Council's policies regarding community safety and the reduction of crime and disorder.

3.9 Leisure Functions

The exercise of the Council's functions relating to the provision and management of recreational facilities and activities.

3.10 Leisure Management and Maintenance etc

The management and maintenance of parks, gardens, open spaces, recreational facilities, museums, youth centres and allotments within the Council's ownership or control.

3.11 Social Well-being

The exercise of the Council's functions concerning social well-being.

3.12 Anti-social behaviour

The taking of any action to combat anti-social behaviour.

3.13 Community Development

The implementation of the Council's policies regarding community development.

3.14 Parking

The exercise of the Council's functions regarding off-street parking.

Deputy

Finance & Resources Manager (1) & Assistant Town Clerk (2)

Assistant Town Clerk

Assistant Town Clerk

Assistant Town Clerk (1), Finance & Resources Manager (2) & Events & Publicity Manager (3)

Assistant Town Clerk

Assistant Town Clerk

Assistant Town Clerk

Assistant Town Clerk

Consultation

Chair of Property & Personnel Committee

3.15 Events, Tourism, Arts and Sports

The exercise of the Council's functions regarding Events & Tourism.

3.16 Community Centres

The exercise of the Council's functions regarding community and youth centres.

3.17 Publicity and Progress Newsletter

The exercise of the Council's functions regarding publicity and the Progress newsletter.

3.18 Allotment Management

The exercise of the Council's functions relating to its allotments, including (in line with policies)

- (a) The administration and collections of fees and charges.
- (b) Letting of vacant plots.
- (c) Ensuring adherence to the allotment rules and regulations.
- (d) The resolution of disputes.
- (e) The promotion of allotments.
- (f) The repossession of plots.

3.19 Grants and Service Funding Agreements

The exercise of the Council's functions regarding grants and service funding agreements.

3.20 Highways Functions and Other Delegated Function

The delivery of any such scheme that has been approved by Council.

3.21 Non-Strategic Policies

The making of minor amendments to ensure the policies are contemporaneous and remain legal.

Deputy

Events & Publicity Manager (1)
Assistant Town Clerk (2)

Assistant Town Clerk (1), Finance & Resources Manager (2)

Events & Publicity Manager (1)
Assistant Town Clerk (2)

Assistant Town Clerk (1)
Services Assistant (2)

Consultation

Events & Publicity Manager

Assistant Town Clerk

Events & Publicity Manager

Assistant Town Clerk

Assistant Town Clerk

Assistant Town Clerk

Finance & Resources Manager

3.22 Buses, Bus Services and Bus Shelters

The exercise of the Council's functions regarding buses, bus services and bus shelters.

3.23 Complaints/Freedom of Information/Data Protection

The delivery of the Council's responsibilities arising from complaints and requests under Freedom of Information and Data Protection.

3.24 Mayoralty

The exercise of the Council's functions regarding the Mayoralty.

3.25 Public Conveniences

The exercise of the Council's responsibilities regarding the Agreement with Arun District Council to joint fund the operation of the town's public conveniences.

3.26 Other Town Council Property, Land and Equipment

The exercise of the Council's responsibilities and functions regarding any land, building or equipment owned by or licensed to or otherwise in the keeping of the Town Council.

3.27 Charge Card

To be used in line with Financial Regulations.

Deputy	Consultation
Assistant Town Clerk	
Finance & Resources Manager	
Finance & Resources Manager (1) & PA to the Mayor & Town Clerk (2)	The Town Mayor (Deputy Mayor)
Finance & Resources Manager (1) & Assistant Town Clerk (2)	
Finance & Resources Manager (1) & Assistant Town Clerk (2)	
Town Clerk	None

4. POWERS DELEGATED TO EITHER THE TOWN CLERK OR FINANCE AND RESOURCES MANAGER (IN CONSULTATION WITH EACH OTHER)

Function

4.1 Legal Proceedings (subject to Standing Orders)

(a) The institution, prosecution or termination of any proceedings which the Council is empowered to undertake in or before any court, tribunal or inquiry.

(b) The defence or settlement of any proceedings brought against the Council.

(c) The taking of any action incidental or conducive to or which would facilitate any action under this Paragraph (4.1).

4.2 Borrowing

The taking of any action relating to borrowing in accordance with the Council's Investment Strategy.

4.3 Insurance

The making of payments into the insurance fund and the settlement of any claims where the Council's insurers may be involved.

4.4 Investments

The investment of available funds on appropriate terms.

4.5 Payments

The making of any payments due.

4.6 Writing off Debts

The writing off of debts not exceeding £500.

4.7 Asset Management

The management and maintenance of the Council's property portfolio.

Consultation

Town Mayor/Deputy Mayor & Finance & Resources Manager

Finance & Resources Manager

Chair of Policy & Finance Committee

4.8 Cheque Signing

The signing of petty cash cheques as agreed from time to time in line with Financial Regulations.

4.9 Investment Transfers

The transfer of funds between the Council's bank/investment accounts including transfers to new fixed deposits.

4.10 Authorisation of Payments

Authorisation of invoices for payment. Assistant Town Clerk to deputise in absence of Town Clerk or Finance and Resources Manager.

Consultation

5. PROPER OFFICER APPOINTMENTS

5.1 Local Government Act 1972

	Proper Officer	Deputy
S83(1) (members' acceptance of office)	Town Clerk	Finance & Resources Manager
S84 (resignation of members)	Town Clerk	Finance & Resources Manager
S88(2) (filling of casual vacancy)	Town Clerk	Finance & Resources Manager
S89(1)(b) (filling of casual vacancy)	Town Clerk	Finance & Resources Manager
Part VA (access to information)	Town Clerk	Finance & Resources Manager
S115(2) (account for money)	Finance & Resources Manager	Town Clerk
S146(1)(a) & (b) (transfer of securities)	Finance & Resources Manager	Town Clerk
S151 (financial administration)	Finance & Resources Manager	Town Clerk
S225(1) (deposit of documents)	Town Clerk	Finance & Resources Manager
S229(5) (public inspection of documents)	Town Clerk	Finance & Resources Manager
S234(1) & (2) (authentication of documents)	Town Clerk	Finance & Resources Manager
Schedule 12 (Council minutes)	Town Clerk	Finance & Resources Manager
Schedule 14 Para. 25(7) (public health resolutions)	Town Clerk	Finance & Resources Manager

5.2 Any other provision for which arrangements are not specifically made under this Scheme of Delegation

Proper Officer
Town Clerk

Deputy
Finance & Resources
Manager

6. AUTHORISATION TO ENTER LAND OR PREMISES

6.1 GENERAL

- (a) This authorisation authorises those Officers named in Paragraph 1.2g to enter land or premises for or in connection with their duties and pursuant to the functions mentioned.
- (b) The authority to enter land or premises shall be exercisable subject to any statutory constraints and Paragraph 1.
- (c) A reference to any Act shall include reference to any amendment or re-enactment and any subordinate legislation.
- (d) 'Head of Service' shall have the same meaning as in Paragraph 1.
- (e) In the event that a post ceases to exist or the name of the post is changed or the responsibilities of that post are transferred to another post, temporarily or permanently, then the authority given by this authorisation shall be exercisable by the officer in whose area of responsibility the right to enter falls to be exercised.
- (f) The right to enter given by Paragraph 6 shall extend to the exercise of the power to make inspections, to provide samples and to examine and seize goods.
- (g) A person authorised to enter land may take with him or her such other persons and equipment as may be necessary.
- (h) This authorisation entitles a person authorised to enter land to seek a warrant to enter.
- (i) The authorisation of an officer to enter land shall be taken as the appointment of that officer among other things for that purpose.

6.2 ALL PURPOSES

The following are authorised to enter land or premises for any purposes for which the Council is empowered to authorise entry:

Town Clerk
Finance and Resources Manager
Assistant Town Clerk

7. ONE-OFF DELEGATIONS BY COUNCIL AND COMMITTEES

MEMBER INVOLVEMENT IN THE INTERVIEW PROCESS

Town Clerk	<ul style="list-style-type: none"> • An Extraordinary Meeting of Property & Personnel Committee to be called within 7 days of resignation to agree process to fill vacancy. • Interview panel to comprise Mayor and Chair of Property & Personnel (Deputy Mayor or Vice Chair in their absence) and a third Member to achieve some political balance.* • Advice to panel from Town Clerk and/or a Town Clerk from another Quality Town Council.
Finance & Resources Manager (Responsible Financial Officer)	<ul style="list-style-type: none"> • Two Members from the Mayor, Deputy Mayor, Chair of Policy & Finance and Chair of Property & Personnel, together with the Town Clerk.* • Further advice to be sought from the Responsible Financial Officer from another Band C and Quality Town Council.
Assistant Town Clerk	<ul style="list-style-type: none"> • Two Members from the Mayor, Deputy Mayor, Chairs of Policy & Finance, Property & Personnel or Community Resources Committees, with the Town Clerk.*
Management Team (Project 82 Manager, Major Projects Manager, Events & Publicity Manager and Museum Curator)	<ul style="list-style-type: none"> • One Member from the Chair or Vice Chair of the Community Resources or Property & Personnel Committees with the Town Clerk and/or Assistant Town Clerk.* (Project 82 Manager: advice from Neighbourhood Youth Worker. Museum Curator: advice from West Sussex Museums Council).
Personal Assistant to Mayor and Town Clerk	<ul style="list-style-type: none"> • Mayor or Deputy Mayor and Town Clerk.*
Project 82 Staff	<ul style="list-style-type: none"> • Project 82 Manager (with Assistant Town Clerk where deemed necessary) and Neighbourhood Youth Worker.
All other staff	<ul style="list-style-type: none"> • At least one of Town Clerk, Finance & Resources Manager or Assistant Town Clerk with other trained and relevant staff (normally Line Managers).

*Other suitably trained Members could substitute for those designated where this is necessary and with the agreement of that individual or in their absence, the Mayor (of Deputy Mayor).

25th March 2010

Draft Regulations laid before Parliament under section 43(3) and (4)(i) of the Local Audit and Accountability Act 2014, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No.

LOCAL GOVERNMENT, ENGLAND

The Openness of Local Government Bodies Regulations 2014

Made - - - - - ***

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 40 and 43(2) of the Local Audit and Accountability Act 2014(a).

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 43 of the Local Audit and Accountability Act 2014.

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Openness of Local Government Bodies Regulations 2014 and come into force on the day after the day on which they are made.

Interpretation

2. In these Regulations—

“the 1960 Act” means the Public Bodies (Admission to Meetings) Act 1960(b);

“the 1972 Act” means the Local Government Act 1972(c);

“the 2012 Regulations” means the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012(d).

-
- (a) 2014 c. 2.
 (b) 1960 c. 67. Relevant amendments were made by the Local Government (Access to Information) Act 1985 (c. 43), section 3, Schedule 2 and Schedule 3 and the Broadcasting Act 1990 (c. 42), section 203(1) and Schedule 20.
 (c) 1972 c. 70. Part 5A and Schedule 12A was inserted by the Local Government (Access to Information) Act 1985, section 1. Section 100I was amended by S.I. 2006/88.
 (d) S.I. 2012/2089.

PART 2

Admission to and reporting of meetings of certain local government bodies

Amendment of the Public Bodies (Admission to Meetings) Act 1960

3.—(1) Section 1 of the 1960 Act (admission of public to meetings of local authorities and other bodies) is amended as follows.

(2) After subsection (3) insert—

“(3A) Where the public are excluded from a meeting of a relevant local government body under subsection (2), the body may also prevent any person from reporting on the meeting using methods—

- (a) which can be used without that person’s presence at the meeting, and
- (b) which enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place or later.”

(3) In subsection (4), after paragraph (c) insert—

- “;
- (d) in the case of a meeting of a relevant local government body, while the meeting is open to the public any person attending is to be permitted to report on the meeting.

(4) After subsection (4) insert—

“(4A) Subsection (4)(d) does not require a relevant local government body to permit oral reporting or oral commentary on a meeting as it takes place if the person reporting or providing the commentary is present at the meeting.”

(5) In subsection (7)—

- (a) after “television broadcasting services” insert “or, in the case of a relevant local government body, for use in electronic or any other format to provide news to the public by means of the internet”; and
- (b) for “but nothing in this section” substitute “but, subject to subsection (4)(d), nothing in this section”.

(6) After subsection (8) insert—

“(9) In this Act—

“relevant local government body” means—

- (a) the Council of the Isles of Scilly;
- (b) a parish council; or
- (c) a parish meeting of a parish which does not have a separate parish council;

“reporting” means—

- (a) filming, photographing or making an audio recording of proceedings at a meeting;
- (b) using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- (c) reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later to persons not present.”

(7) After section 1 of that Act insert—

“Publication and dissemination of reports

1A.—(1) Any person who attends a meeting of a relevant local government body for the purpose of reporting on the meeting may use any communication method, including the internet, to publish, post or otherwise share the results of the person’s reporting activities.

(2) Publication and dissemination may take place at the time of the meeting or occur after the meeting.”

(8) In section 2(1) of that Act (application of section 1 to committees of bodies to which the Act applies)—

- (a) for “the foregoing section” substitute “sections 1 and 1A”;
- (b) for “as that section applies” substitute “as they apply”; and
- (c) for “of that section” substitute “of section 1”.

Amendment of the Local Government Act 1972

4.—(1) Section 100A of the 1972 Act (admission to meetings of principal councils) is amended as follows.

(2) After subsection (5) insert—

“(5A) Where the public are excluded from a meeting of a principal council in England under subsection (2) or (4), the council may also prevent any person from reporting on the meeting using methods—

- (a) which can be used without that person’s presence at the meeting, and
- (b) which enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place or later.”

(3) In subsection (6), at the beginning of paragraph (c) insert “subject to subsection (7D),”.

(4) In subsection (7), at the beginning insert “Subject to subsection (7A)”.

(5) After subsection (7) insert—

“(7A) While a meeting of a principal council in England is open to the public, any person attending is to be permitted to report on the meeting.

(7B) Subsection (7A) does not require a principal council in England to permit oral reporting or oral commentary on a meeting as it takes place if the person reporting or providing the commentary is present at the meeting.

(7C) A person attending a meeting of a principal council in England for the purpose of reporting on the meeting must, so far as practicable, be afforded reasonable facilities for doing so.

(7D) Subsection (7C) applies in place of subsection (6)(c) in the case of a principal council in England.

(7E) Any person who attends a meeting of a principal council in England for the purpose of reporting on the meeting may use any communication method, including the internet, to publish, post or otherwise share the results of the person’s reporting activities.

(7F) Publication and dissemination may take place at the time of the meeting or occur after the meeting.”

(6) After subsection (8) insert—

“(9) In this section “reporting” means—

- (a) filming, photographing or making an audio recording of proceedings at a meeting,
- (b) using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later, or
- (c) reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later to persons not present.”

(7) In section 100E of that Act (application to committees and sub-committees), after subsection (1) insert—

“(1A) But in section 100A, subsections (5A), (7A) to (7F) and (9) do not apply to a committee which is appointed or established jointly by one or more principal councils in

England and one or more principal councils in Wales, or a sub-committee of such a committee.”

(8) In section 100J of that Act (application of Part 5A to new authorities, Common Council etc.)—

- (a) in subsection (1), after “Except in this section,” insert “and subject as follows,” and
- (b) after subsection (2A) insert—

“(2B) In section 100A, subsections (5A), (7A) to (7F) and (9) do not apply to—

- (a) a joint waste authority;
- (b) the Common Council other than in its capacity as a local authority or police authority;
- (c) a joint board or a joint committee falling within subsection (2) above;
- (d) the Homes and Communities Agency; or
- (e) a Mayoral development corporation.”.

Amendment of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

5.—(1) The 2012 Regulations are amended as follows.

(2) In regulation 4 after paragraph (5) insert—

“(5A) Where the public are excluded from a meeting under paragraph (2), a decision making body may also prevent any person from reporting proceedings using methods—

- (a) which can be used without that person’s presence at the meeting, and
- (b) which enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place or later.

(5B) While the meeting is open to the public, any person attending is to be permitted to report the proceedings.

(5C) Paragraph (5B) does not require a decision making body to permit oral reporting or oral commentary on a meeting as it takes place if the person reporting or providing the commentary is present at the meeting.”

(3) In that regulation, after paragraph (6) insert—

“(7) Any person who attends the meeting to report the proceedings may use any communication methods, including the internet, to publish, post or otherwise share the results of their reporting activities.

(8) Publication and dissemination may take place at the time of the meeting or occur after the meeting.

(9) For the purposes of this regulation, reporting on proceedings at a meeting means—

- (a) filming, photographing or making an audio recording of the proceedings at the meeting,
- (b) using any other means for enabling persons not present to see or hear proceedings at the meeting as it takes place or later, or
- (c) reporting or providing commentary on proceedings at the meeting, orally or in writing, so that the report or commentary is available to persons not present, as the meeting takes place or later.”

(4) In regulation 20 omit paragraph (4).

PART 3

Record of decisions and access to documents

Interpretation of this Part

6. In this Part—

“background papers” in relation to a decision which falls within regulation 7(2), means those documents other than published works, that—

- (a) relate to the subject matter of the decision or, as the case may be, part of the decision; and
- (b) in the opinion of the proper officer—

- (i) disclose any facts or matters on which the decision or an important part of the decision is based; and

- (ii) were relied on to a material extent in making the decision;

“confidential information” means—

- (c) information provided to the local government body by a government department on terms (however expressed) which forbid the disclosure of the information to the public; or

- (d) information the disclosure of which to the public is prohibited by or under any enactment or by order of a court,

and in either case, a reference to the obligation of confidence is to be construed accordingly;

“decision-making officer” means an officer of a relevant local government body who makes a decision which falls within regulation 7(2);

“exempt information” has the meaning given by section 100I(1) of the 1972 Act (exempt information and power to vary Schedule 12A);

“proper officer” has the same meaning as in section 270(3) of the 1972 Act (general provisions as to interpretation);

“relevant local government body” means—

- (a) a district council,
- (b) a county council in England,
- (c) a London borough council,
- (d) the Greater London Authority,
- (e) the Common Council of the City of London in its capacity as a local authority or police authority,
- (f) the London Fire and Emergency Planning Authority,
- (g) Transport for London,
- (h) a joint authority established under Part 4 of the Local Government Act 1985(a),
- (i) an economic prosperity board,
- (j) a combined authority,
- (k) a fire and rescue authority in England constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004(b) or a scheme to which section 4 of that Act applies,
- (l) a National Park Authority for a National Park in England,
- (m) the Broads Authority,
- (n) the Council of the Isles of Scilly,

(a) 1985 c. 51. Relevant amendments were made by the Police and Magistrates' Courts Act 1994 (c. 29), section 93 and Schedule 9; the Greater London Authority Act 1999 (c. 29), section 328, 423 and Schedule 34; the Civil Contingencies Act 2004 (c. 36), section 32 and Schedule 2 and the Local Transport Act 2008 (c. 26), section 77 and Schedule 4.

(b) 2004 c. 21.

- (o) a parish council, or,
- (p) a parish meeting.

Recording of decisions

7.—(1) The decision-making officer must produce a written record of any decision which falls within paragraph (2).

(2) A decision falls within this paragraph if it would otherwise have been taken by the relevant local government body, or a committee, sub-committee of that body or a joint committee in which that body participates, but it has been delegated to an officer of that body either—

- (a) under a specific express authorisation; or
- (b) under a general authorisation to officers to take such decisions and, the effect of the decision is to—
 - (i) grant a permission or licence;
 - (ii) affect the rights of an individual; or
 - (iii) award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.

(3) The written record must be produced as soon as reasonably practicable after the decision-making officer has made the decision and must contain the following information—

- (a) the date the decision was taken;
- (b) a record of the decision taken along with reasons for the decision;
- (c) details of alternative options, if any, considered and rejected; and
- (d) where the decision falls under paragraph (2)(a), the names of any member of the relevant local government body who has declared a conflict of interest in relation to the decision.

(4) The duty imposed by paragraph (1) is satisfied where, in respect of a decision, a written record containing the information referred to in sub-paragraphs (a) and (b) of paragraph (3) is already required to be produced in accordance with any other statutory requirement.

Decisions and background papers to be made available to the public

8.—(1) The written record, together with any background papers, must as soon as reasonably practicable after the record is made, be made available for inspection by members of the public—

- (a) at all reasonable hours, at the offices of the relevant local government body;
- (b) on the website of the relevant local government body, if it has one; and,
- (c) by such other means that the relevant local government body considers appropriate.

(2) On request and on receipt of payment of postage, copying or other necessary charge for transmission, the relevant local government body must provide to the person who has made the request and paid the appropriate charges—

- (a) a copy of the written record;
- (b) a copy of any background papers.

(3) The written record must be retained by the relevant local government body and made available for inspection by the public for a period of six years beginning with the date on which the decision, to which the record relates, was made.

(4) Any background papers must be retained by the relevant local government body and made available for inspection by the public for a period of four years beginning with the date on which the decision, to which the background papers relate, was made.

(5) In this regulation “written record” means the record required to be made by regulation 7(1) or the record referred to in regulation 7(4), as the case may be.

Confidential and exempt information

9.—(1) Nothing in this Part is to be taken to authorise or require the disclosure of confidential information in breach of the obligation of confidence.

(2) Nothing in this Part—

- (a) authorises or requires a relevant local government body to disclose to the public or make available for public inspection any document or part of a document if, in the opinion of the proper officer, that document or part of a document contains or may contain confidential information; or
- (b) requires a relevant local government body to disclose to the public or make available for public inspection any document or part of a document if, in the opinion of the proper officer, that document or part of a document contains or is likely to contain exempt information.

Offences

10.—(1) A person who has custody of a document which is required by regulation 8 to be available for inspection by members of the public commits an offence if, without reasonable excuse, that person—

- (a) intentionally obstructs any person exercising a right conferred under this Part in relation to inspecting written records and background papers; or
- (b) refuses any request under this Part to provide written records or background papers.

(2) A person who commits an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 1 on the standard scale.

Signed by authority of the Secretary of State for Communities and Local Government

Name

Parliamentary Under Secretary of State

Department for Communities and Local Government

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision to allow members of the public to report and commentate on public meetings of local government bodies in England. They also require written records to be kept of certain decisions taken by officers of these bodies.

Regulation 3 amends the Public Bodies (Admission to Meetings) Act 1960 to allow entry to the meetings of specified local government bodies for the purposes of reporting and to allow the results of the reporting to be published or disseminated. “Reporting” includes filming and providing commentary on proceedings and allows for the use of a wide range of methods including social media.

Regulations 4 and 5 make similar amendments to the Local Government Act 1972 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Regulation 7 provides for the making of a written record of certain decisions taken by officers of relevant local government bodies; regulation 8 provides for the publication of that record; regulation 9 provides an exemption for confidential information and regulation 10 imposes a criminal sanction in relation to obstruction of persons in providing information under regulation 8, punishable on summary conviction to a fine not exceeding level 1 on the standard scale.

An impact assessment has not been prepared for this instrument as it will have no impact on the costs of business or the voluntary sector.

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