



Bude-Stratton Town Council
Parkhouse Centre
Ergue-Gaberic Way
Bude
EX23 8LD
Tel: 01288 353576
Email: office@bude-stratton.gov.uk
Website: www.bude-stratton.gov.uk

To all members of the **Town Council**
Dear Councillor

You are summoned to attend a meeting of the **Annual Council** meeting in the **Conference Room**, The Parkhouse Centre, Bude on Thursday 4th May 2023 at 6.00pm for the purpose of transacting the under mentioned business.

The press and public are invited to attend.

Keith Cornwell –Town Clerk & RFO
Date of issue – 27th April 2023

AGENDA

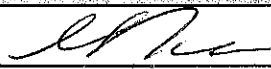
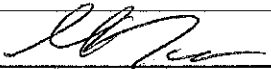
1. Election of Mayor for the municipal year 2023/24 and signing of declaration of acceptance of office – nominations received in advance: Cllr M Dawe
2. Election of Deputy Mayor for the municipal year 2023/24 – nominations received in advance: Cllr P Purchase
3. To receive and accept apologies for absence
4. To receive declarations of registered and non-registered disclosable pecuniary interests and non-registerable interests
5. Dispensations: to consider requests for dispensations
6. The Signing of Armed Forces Covenant
7. a) Minutes – Full Council: To receive, confirm and sign the Minutes of the Full Council Meeting held on 5th April 2023
b) Minutes – Committees: To receive and note the Minutes of the Committee Meetings listed below (acting under delegated authority)
 - i) Planning Committee – 19th April 2023
 - ii) Oversight Committee –20th April 2023
 - iii) Staffing Committee –12th April 2023
8. Correspondence received
 - i) To receive a video regarding the loss of Trees in the Parish
 - ii) Request for Allotments
 - iii) Bus Route 128/129
9. Mayors report
10. Opportunity for Cornwall Councillors present to discuss Cornwall Council issues relevant to BSTC
11. Public participation – for public present to make comments concerning the business of the current Council
12. To review the Councils Reserves and make any necessary reallocations
13. To discuss and determine in principle a Loan or Grant arrangement with North Kernow Community Land Trust
14. To agree the purchase of an electric powered mower
15. To authorise the contract for the resurfacing of the Facilities Unit Compound

16. To authorise the contract to install PV Panels on the Parkhouse Centre
17. Committee Membership – to elect the voting Members for the following Committees of the Council
 - i) Oversight Committee (12 voting members)
 - ii) Planning Committee (9 voting members)
 - iii) Staffing Committee (9 members)
 - iv) Property Committee (9 Members)
18. To confirm the roles and names of Lead Cllrs and the appointment of members as delegates to outside bodies
19. To delegate authority to the Oversight Committee to evaluate and award the contract to renew play equipment in the Bencoolen Play park
20. To approve the Licence and operating agreement for the Parkhouse EV chargers
21. To authorise the sealing of the lease with the Pearl Exchange
22. To retrospectively approve the use of the Seal for the purchase of 1 Lords Court
23. To receive and approve the current version of Standing Orders, Financial Regulations, Scheme of Delegation and Committee Terms of Reference
24. Financial Report:
 - i) Schedule of Payments made – 21st April 2019 – 4th May 2022
 - ii) Schedule of Payments to be made – 5th May 2022

Nomination form for the Office of Mayor of Bude- Stratton Town Council

ALL NOMINATIONS MUST BE RECEIVED BY 4.00PM ON WEDNESDAY 26TH APRIL 2023

Candidate's Details	
Surname:	DAWE
Forenames:	MICHAEL JAMES

	Print name	Signature
Proposer	MICHAEL DAWE	
Seconder	KATIE GOODE	
Candidate	MICHAEL DAWE	

Date:

Nominations may be posted to the Town Clerk at the Parkhouse Centre or sent by email to kcornwell@bude-stratton.gov.uk

Office use only:

Received by:

Date:

Time:

Nomination checked & circulated:

PTO

Candidate's Statement

I think everyone knows that I'm a Cornishman that is incredibly proud of this Town and County but I can now also add that I'm proud of what we, the Council, have set in motion over the last few years.

If elected as Mayor, my aims would be to ensure that the projects already in motion like the Storm Tower, Skatepark and Stratton stores are driven forwards to completion and that Councillors, staff and residents voices are heard in a meaningful and respectful way so that we can continue to make bold and well informed decisions that either improve Bude, Stratton and the environment where improvements are required or to maintain the wonderful history, character and charm of this lovely little parish we call home.

Thanks for your consideration



Nomination form for the Office of Deputy Mayor of Bude- Stratton Town Council

ALL NOMINATIONS MUST BE RECEIVED BY 4.00PM ON WEDNESDAY 26TH APRIL 2023

Candidate's Details	
Surname:	Purchase
Forenames:	Philippa

	Print name	Signature
Proposer	Sian Dearing	
Seconder	Jackie Diffey	
Candidate	Philippa Purchase	

Date: 24/4/23

Nominations may be posted to the Town Clerk at the Parkhouse Centre or sent by email to kcornwell@bude-stratton.gov.uk

Office use only:

Received by:

Date:

Time:

Nomination checked & circulated:

PTO

Candidate's Statement

I'd like to be considered for the Deputy Mayor role for this year. I think I could make a good Deputy Mayor because the last couple of years as a councillor have given me a good appreciation of how this council operates and a better understanding of the people who work so hard for our community – both officers and councillors.

The council has taken a lot on over the past few years with major projects likely to take up a good deal of officer and councillor time in 2023. However I'd like us to be thinking into the future as well and working on our strategy and vision for our remaining two years in office, and I think I can help the team in developing this.

I worked in local government for some time before I retired and managed a large team with a variety of roles, so I have a good appreciation of what it takes for our officer team to provide the variety of services we offer to the community. I'd like to help the Mayor as we work to implement the outcomes of the HR review and ensure that our officers continue to have access to the training, skills, managerial support and pay structure needed to be fulfilled and effective in their roles.

I also very much appreciate the effort that our volunteer councillor team is making to direct the council in delivering on the wishes of the community. I would like to continue with the excellent work started by our previous Deputy Mayor, Jackie, in trying to provide support and encouragement for councillors in their role, which can sometimes be a rollercoaster of highs and lows.

Finally I feel that I can give the role the time it needs and can be a strong backstop for whoever is in the Mayor role, providing capacity as needed for the Mayoral responsibilities.



Bude-Stratton Town Council

We commit to uphold the

Armed Forces Covenant

and support the Armed Forces Community.

**We recognise the contribution that Service personnel,
both regular and reservist, veterans and military families
make to our organisation, our community and to the country.**

Signed on behalf of:

Bude-Stratton Town Council

Signed:

Name:

Position:

Date:



The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom
His Majesty's Government

– and –

All those who serve or have served in the Armed Forces of the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most, such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

Section 1: Principles of The Armed Forces Covenant

1.1 We, **Bude-Stratton Town Council**, will endeavour to uphold the key principles of the Armed Forces Covenant:

- *Members of the Armed Forces Community should not face disadvantages arising from their service in the provision of public and commercial services.*
- *In some circumstances special provision may be justified, especially for those who have given the most, such as the injured or bereaved.*

Section 2: Demonstrating our Commitment

2.1 We recognise the contribution that Service personnel, reservists, veterans, the cadet movement and military families make to our organisation, our community and to the country. We will seek to uphold the principles of the Armed Forces Covenant by:

- Establishing a Lead Councillor for the Armed Forces community.
- Establishing a dedicated webpage providing links to organisations and services supporting the Armed Forces community.
- Promoting organisations supporting the Armed Forces community through sharing and linking to social media.
- Encouraging the inclusion of local Armed Forces community organisations in Town Council events.
- Assisting where possible with the observance of Armistice Day and Remembrance Sunday.
- Any additional commitment the organisation wishes to make.

2.2 We will publicise these commitments through our literature and/or on our website, setting out how we will seek to honour them and inviting feedback from the Armed Forces Community and the wider community on how we are doing.

Dear Mr Cornwell,

I am on the waiting list for the local allotments. I have been since last year. I was directed there by your office. I was 8th on the list and continue to be 8th.

As I understand from my time in local council, section 23 of the 1947 allotment act says that if there are 6 or more people on the waiting list the Council has a duty to provide sufficient number of allotments to residents. I have copied and pasted below.

Act 1908	<p>Repealed and consolidated previous legislation and established the framework for the modern allotments system.</p> <p>Section 23 provides that if allotment authorities 'are of the opinion that there is a demand for allotments...in the borough, district or parish the council shall provide a sufficient number of allotments to persons...resident in the borough district or parish and desiring the same'. In determining demand an authority must take into consideration 'a representation in writing by any six registered parliamentary electors or rate payers'.</p> <p>Section 25 gives a local authority the power to compulsorily purchase land for allotments if land cannot be acquired by private agreement.</p> <p>Section 26 provides that an allotments authority 'may' make improvements to allotment land such as drainage, paths and hut construction.</p> <p>Section 32 deals with the 'Sale of superfluous or unsuitable land' and permits local authorities to sell land if they are 'of opinion that any land ... is not needed for the purpose of allotments'. However, Section 8 of the Allotments Act 1925 (see below) places restrictions on this process.</p> <p>Section 47 deals with compensation for allotment holders who are required to leave the site. These provisions were amended by the Allotments Act 1922.</p>
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I am on the list that [REDACTED] holds. She has confirmed that I am number 8. I do not have her email address to copy her to this email - just Facebook messenger contact. I also copy Peter la Broy as I am sure he will be familiar with the Act.

My phone number is: [REDACTED]
My address: [REDACTED]
Full name: [REDACTED]
You have the email address.

I look forward to hearing that you honour section 23 and make some land available to residents who have waited patiently for some allotment land.

Yours faithfully,
[REDACTED]

Sent: Monday, April 24, 2023 10:09 AM
To: Office <Office@bude-stratton.gov.uk>
Subject: Go Cornwall Bus Service

Go Cornwall Bus Service 128/129 Route Change

I don't know if you are aware but the 128 Stratton/Bude/Poughill bus route has been changed without, as far as I am aware, any advance consultation with or notification to passengers using this route.

The first I knew of this change was when I used the service on Thursday 13-April 23. I boarded the now 129 bus at 16:45 from the Strand bus stop in Bude and intended to alight at the stop just inside East Fairholme Road. Instead of turning right from Flexbury Park Road into East Fairholme Road the bus turned left into West Fairholme Road. When I asked the driver why he explained that the route had been changed and I could find all the details on the website.

Not everyone has access to the internet so this should not be the only method of informing passengers that routes and/or times are being/have been amended. Notices inside the buses themselves could be an option.

When a route has been in place, without change, for more than 8 years, I feel it is only polite to consult and notify passengers in advance before any changes to the route are implemented. Not only does the bus miss the 2 stops in East Fairholme Road but it no longer goes to Stratton thereby taking out the direct bus route from the northern side of Bude to Stratton MIU.

To add insult to injury the Bus Stop signs were still in place on the lamp posts in East Fairholme Road (and I assume Fosters Way) as of Thursday 20-April and there are no visible notices at these stops to inform passengers that the service no longer stops there. I don't know if any other routes serving Bude have changed as this is the only one I use on a regular basis.

I have put in a complaint/enquiry to Go Cornwall Bus myself but could the Town Council bring any pressure to bear on Go Cornwall Bus to:

- re-instate the route to include stops in East Fairholme Road and Stratton (not holding out much hope that Go Cornwall Bus will even consider this but if we don't ask, we don't get)

and/or

- obtain an assurance from Go Cornwall Bus that changes to routes will not be imposed without advance consultation with and notification to passengers using these routes.

Many thanks.
Resident

North Kernow Community Land Trusts

Overview

NKCLT have approached the Council with a view to raising funding for their activities in providing affordable housing in the area.

Detail

The Council recently received a presentation from the newly established NKCLT outlining their objectives to provide social housing. The Trust has secured £200K in capital seed funding and been successful in a grant application to Cornwall Council and taken on two part-time members of staff.

The Council has previously resolved to set aside £50,000 of its reserves to support the work of a Community Land Trust and has separately resolved to allocate its Community Infrastructure Levy receipts to supporting any future CLT.

NKCLT are now looking to build up their capital reserves in order to be able to fund acquisition of properties, whether already built or land for development.

I would be very grateful if the Full Council were able at least to resolve formally to explore these options with us, so that we can then begin a more detailed discussion with the appropriate Councillors and members of staff.

A copy of NKCLT's rules have been provided for reference. It also includes a copy of the application form for registration, showing that this was sponsored by the National CLT Network. Signatures have been redacted.

Options

With that in mind, they have submitted the following alternatives that could be explored (not mutually exclusive):

1. as you will appreciate, donations and grants are the best because it means that the funds are unencumbered. Our policy is that donations received from a particular parish are (unless the donor specifies otherwise) allocated to our work in that parish so are applied for the benefit of that community. We undertake that at least 94% of each such donation will be used for capital purposes and no more than 6% will be applied to overheads.
2. the next best thing is a medium or long-term loan under the CLT's powers set out in Rule B2.3. In order to enable us to build up our funds, we would invite consideration of a loan of a minimum amount of £10,000 and, subject to board approval, I think we could offer an interest rate of 3.25%, which exceeds the rate that you have under your existing deposit arrangements.
3. we will in due course be exploring issuing shares specifically for fundraising purposes under the provisions of rules C38 – 56 and we would of course be delighted if BSTC were in a position at that time to subscribe for such shares. We would of course take the appropriate advice at the time to formulate a "prospectus" that could be issued to interested parties. We will be working on this later in the year.

Financial Implications

The Council has set aside earmarked reserves, though these can be subject to change at the Council's discretion. The recent purchase of 1 Lords Court, which was not budgeted for has both

North Kernow Community Land Trusts

secured the Council some residential letting units and placed additional burdens on the Council's reserves.

Legal Implications

The giving of grants would be covered under the Council's General Power of Competence. If agreed in principal the making of loans would need to be investigated further to ensure the regulatory requirements and accounting treatment is fully understood.

Environmental Implications

None

Fit to Vision and Priorities

Nurture the economic wellbeing and viability of the area through collaborations with Cornwall Council, local businesses and community groups.

Plan for a future that considers both periods of stability and instability within the economy, climate and wellbeing of our residents.

Consultation

No consultation has been undertaken with regards to this specific request, though it is known that there is much concern over the availability of affordable housing and the Housing Survey did ask questions about CLT's.:

Would you support Bude-Stratton Town Council in using your money collected through Council tax to help fund a Bude-Stratton Community Land Trust?

966 responses

- • **39%** Yes
- • 10% No
- • **51%** I do not know enough about it

Electric Ride On Mower Replacement

Background

As per BSTC environmental policy and feedback from the most recent Environmental audit, the Facilities Manager has identified equipment which can replace a diesel and petrol powered ride on mowers. The FM has always been environmentally aware when choosing different machinery and has carried out extensive research on this particular model to ensure it is fit for purpose.

Detail

The team are using a significant amount of petrol for the current machine in place, using approx. 40L of petrol in a single day (continuous use) carrying out grass cutting as part of the SLA. The new model Cramer Battery Zero Turn (132cm Steel Cutting Deck, ROPS 82V Lithium-Ion Battery, Triple 1.5Kw Motors, 3 Bladed, 25-140mm Cut Height, LED Front Light, Mulch & Side Discharge, 5 Yr Warranty) which the FM would like to purchase is completely electric and environmentally friendly. Listed below are some basic details:

- As it is fully electric, there would be a substantial saving on fuel costs as it would be charged using the solar panels at the facilities unit
- No Emissions
- Noise reduction (Health and Safety)
- Easy maintenance
- Up to 5 hrs constant run time
- 4 hours full charge time
- 5 year warranty
- Front Power Take Off (PTO) to add extra components such as leaf blowers, weed removers and other various attachments.

Options

Only 1 company can provide this product in the Southwest at the price shown below (Holsworthy based). Other companies are selling this product online for around £20,000.

Financial Implications

New Cramer Zero Turn electric Mower **£16,000**
 Buy back of the petrol Ferris Zero Turn Mower **£3,500**
 Total to pay **£12,500**

There is £11,000 in the current year's budget and a further £48,037 in reserves for vehicle replacement.

Legal Implications

None

Environmental Implications

Carbon reduction, less noise and air pollution

Fit to Vision and Priorities

Our Vision To support the local community to achieve a sustainable and carbon neutral future, that embraces the wellbeing of our residents, the environment and economic viability of Bude and Stratton.

Consultation

None.

Facilities Unit Tarmac Installation

Background

The Facilities Unit was built in 2013 and although the project was a success in providing the team with a better place to work from than the previous building (New conference Room which was once a storage barn for Fac Team equipment), the flooring outside the unit was never completed.

Detail

At present, the flooring consists of a grade 3 compound which should have had a layer of smooth tarmac to cover it, as stated, this was never completed. Currently, due to heavy plant and adverse weather, the flooring outside is starting to deteriorate and large holes are now starting to form. The facilities unit also holds a large tank beneath which collects rainwater. Should the floor not be repaired, the FM believes this water storage facility could be affected in later years. There is a lot of corrosion around manhole covers and other drainage systems within the unit yard.

Options

Two local companies have returned quotes. Other firms contacted by the FM failed to return quotes or could not commit to the works.

The sums quoted are:

- £14,160
- 12,220

Recommendation

The FM recommends that the lower costing quote should be accepted as the works spec supplied by both are identical.

Financial Implications

A sum of £15,000 had been allow for within the Maintenance Reserve for this project

Legal Implications

None

Environmental Implications

Repair to the Fac unit outside space may cause damage to the water storage tank in the future.

Fit to Vision and Priorities

Fulfil our statutory functions and commitments whilst being open, accessible and listening to the residents we serve.

Consultation

None.

Parkhouse Centre Solar PV Installation

Background

The addition of solar panels for the PH centre has been a long-term project since the FM joined BSTC in 2017. Planning permission was sought in 2013 but due to speculation regarding the PH centre roof not being strong enough to support the solar panels, it was postponed and not re-started until 2017. Solar PV has evolved since the initial planning permission was submitted and all companies involved have confirmed that the new style of PV panel is much lighter and therefore not have any effect on the PH roof.

Detail

A number of PV companies have attended the PH centre and carried out a site survey and produced detailed reports on what they can provide. These reports have been independently checked for quality, pricing, aftersales, warranty, output and ensuring the chosen companies' equipment is fit for purpose at the Parkhouse centre. The addition of solar PV to the PH Centre will provide the following:

- Savings on electricity bills of around £3000 per year (Average)
- Up to 14,000kg of CO2 Emissions avoided (Estimated)

Options

Four Companies tendered (all details and specifications held on file with FM) Prices provided gave the following options

1. **1. £33,975**
2. **2. £40571.18 - £47549.52 (with Battery Storage)**
3. **3. £38505**
4. **4. £28463 - £37074 (with Battery Storage)**

Two of the tenders are offering battery storage which will enable the Parkhouse Centre to use what has been saved through the day light hours before using electricity from the grid. This is a slightly more expensive option but one it is thought BSTC would benefit from.

Recommendation

The FM and an independent adviser who has reviewed all the tenders recommend **option 4 with battery storage**. Reasons for this are as follows:

- Value for money
- DNO consultation included
- Reputable company with a solid back ground
- Annual return of 9.9% (£4227)
- Less panels required compared to other quotes
- 10-year installation and workmanship warranty
- 10-year battery warranty
- 10-year mounting system warranty
- 10-year output warranty of 93%
- 25-year output warranty of 85%
- Training provided on user guidance and manuals
- Scaffolding included

Parkhouse Centre Solar PV Installation

Financial Implications

The capital cost of £37,074, whilst not directly provided for within the property Maintenance and Enhancement fund, can be financed from this reserve due to predicted underspends in the Internal lighting, external painting and from the Roofing line.

At the lowest price this gives a 6.7 -year payback (8.8 yrs. for the recommended solution)

Legal Implications

Planning permission will be required, an application has been previously granted (9PA13/00355) so this is not seen as a project risk.

Approvals from the Distribution Network Operator will be required in order to link to the electricity supply line. The recommended contractor has priced to undertake that process on our behalf.

Environmental Implications

Installation of Solar PV will also benefit the environment. Below are a number of equivalents (Annual) taken from each of the quotes received:

- 210,672 Car km avoided
- 1354 trees planted
- 151 long haul flights avoided

Fit to Vision and Priorities

Our Vision To support the local community to achieve a sustainable and carbon neutral future, that embraces the wellbeing of our residents, the environment and economic viability of Bude and Stratton.

Consultation

No specific consultation has recently been undertaken on this specific project.

BSTC Committee membership

Oversight Committee (12)	Staffing Committee (9)	Planning Committee (9)	Properties Committee (9)
Alex Bluett	Simon Browning	Alex Bluett	Alex Bluett
Simon Browning	Katie Goode	Michael Dawe	Kevin Colwill
Kevin Colwill	Mike Dawe	Sain Dearing	Sian Dearing
Sain Dearing	Sian Dearing	Vikki Herbert-Coulson	Ethan Hanna
Katie Goode	Jackie Difey	Philippa Purchase	Vikki Herbert-Coulson
Jackie Diffey	Peter La Broy	Jackie Diffey	Peter La Broy
Vikki herbert-Coulson	Philippa Purchase	Peter La Broy	Amanda Tame
Philippa Purchase	Amanda Tame	Vacancy	Louise Quinton
Amanda Tame	Kevin Colwill		
Vacancy			
Vacancy			
Vacancy			

Lead Councillors 2023/24

1	Education & early years –	Cllr S Dearing & C Moriarty
2	Social Welfare –	Cllr A Bluett
3	Crime and Community Safety –	Cllr K Colwill
4	Youth Provision –	Cllrs M Dawe
5	Community Groups –	Cllr J Diffey
6	Heritage -	
7	Environment & Bio Diversity -	Cllrs S Browning & P Purchase
8	Climate Change -	Cllrs P Purchase
9	Sport-	Cllrs M Dawe
10	Housing -	Cllr V Herbert-Coulson
11	Economic Development –	Cllr K Goode
12	Health and the Older Community –	Cllr L Corrigan Turner
13	Transport & Connectivity –	Cllr K Goode
14	Arts and Cultural-	Cllr J Diffey
15	Diversity & Inclusion-	Cllr S Dearing & C Moriarty
16	Armed Forces Community	

Outside Bodies

Bude Town Team – Cllr K Goode, Cllr P Purchase

Bude & Camelford Community Area Partnership – Cllr L Corrigan-Turner

Bude Twinning Association – The Mayor

Bude Climate Partnership – Cllr S Dearing

Bude Area Tourist Board – Cllr P La Broy

Bude CCTV Committee – Cllr P La Broy

Relocation of EV Charging Points

Background

The Council is already in an arrangement for the provision of EV charging points to both the public and the Co Car community car share scheme. The electric supply from the Parkhouse building is not sufficient to properly service the public chargers and is not a sustainable going forwards. An alternative has been devised and the heads of terms for the new arrangement already agreed.

Detail

The Licence and Operating Agreement have been circulated to Cllrs

Options

Accept the licence and operating agreement proposed

Terminate the arrangement

Financial Implications

There is no direct cost to the Council for the installation of this service, which is being funded by the provider, who will also take on the business risk of the operation. There will be some loss of parking income as the Co Cars and physical charging units will take up current pay and display spaces. It is difficult to determine the exact scale of the loss as the Car park is only full during peak season.

The Council does need to be aware that there is a risk in that it is committing itself to a 15 yr. obligation and should it want to back out of the arrangement before the end of the agreement the provider will require an exit payment to recover their investment, totalling £75,000 in the early years and reducing over time.

Legal Implications

The provider will install and maintain the electric supply to the chargers. There is a long term legal obligation being formed with the Licence and Operating Agreement

Environmental Implications

The provision will support the use of electric vehicles and hence reduce carbon burning and air polluting vehicles from the Town.

Fit to Vision and Priorities

Support our residents and visitors in engaging positively with the environment to improve their physical and mental health, and wellbeing.

Consultation

No consultation has been undertaken with regards to this request.

Dated:

April 202~~3~~²

BUDE-STRATTON TOWN COUNCIL (1)

- to –

THE PEARL EXCHANGE, BOSKENNA, CRACKINGTON HAVEN, BUDE,
CORNWALL, EX23 0QJ (2)

L E A S E

- relating to –

The Pitch & Putt Pavilion, Crooklets Road, Bude, Cornwall, EX23 8HN

THIS LEASE is made the day of

April 202~~3~~²

BETWEEN BUDE-STRATTON TOWN COUNCIL of the Parkhouse Centre, Ergue Gaberic Way, Bude, Cornwall, EX23 8LD (hereinafter called "the Landlord") of the one part The Pearl Exchange, Boskenna, Crackington Haven, Bude, Cornwall, EX23 0JQ (hereinafter called "The Tenant") of the other part.

WITNESSES as follows:-

1 IN consideration of the rents hereinafter reserved and of the covenants on the part of the Tenant hereinafter contained THE LANDLORD HEREBY DEMISES unto the Tenant ALL THAT piece or parcel of land at Crooklets Road, Bude, Cornwall, EX23 8ND known as The Pitch and Putt Pavilion shown edged red on The Plan annexed hereto (hereinafter called "the Property") TOGETHER WITH the right (in common with the Landlord and its other Tenants and Licensees) to be used as a community hub and trading space permitted under Class E: Commercial, Business and Service under Town and Country Planning (Use Classes) (Amendments) (England) Regulations 2000 (hereinafter referred to as "the Permitted Use") and to the free passage and running of water, soil, electricity from and to the Property through the cable pipes and wires serving the Property and passing in on over under or through the remainder of the Landlord's land at AND the right to pass and re-pass over the access shown coloured blue on the plan annexed hereto to enable access to the Property EXCEPTING AND RESERVING unto the Landlord and its other Tenants and Licensees of the remainder of Summerleaze Downs through the cable pipes and wires passing in on over under or through the Property AND SUBJECT to such regulations as to the time of such user as the Landlord may from time to time prescribe TO HOLD the same unto the Tenant for the term of 1 year commencing on the 28th April 202~~3~~² yielding and paying to the Landlord the rent of £200.00 per month (inclusive of VAT).

2. THE Tenant hereby covenants with the Landlord as follows:-

(a) To only use the Property for the Permitted Use under this Lease only.

(b) To pay the reserved rents on the days and in manner foresaid.

(c) To pay the Landlord on demand the cost of all electricity, water, gas, broadband or other services used or consumed in relation to their use of the Property. A 10% deduction will be applied to the water bill to account for other users usage.

(d) If the rent or any other monies payable by the Tenant hereunder shall be due but unpaid for 14 days pay to the Landlord on demand interest at 5% per annum above the minimum lending rate from time to time of National Westminster Bank PLC on such outstanding amount from the due date until payment and this covenant shall not prejudice any other right or remedy of the Landlord for the recovery of the said rents or other sums.

(e) To pay and discharge all existing and future rates (including Uniform Business Rate) taxes, assessments, impositions, duties, charges (including water charges and all other utilities of a like kind) and outgoings whether parliamentary local or otherwise of an annual or reoccurring nature which are now or may hereafter be assessed charged or imposed upon or payable in respect thereof (except only such as the Landlord are by law bound to pay notwithstanding any contract to the contrary).

3. At all times during the said term to keep the Landlord's fixtures and fittings in good and substantial repair and condition and to do all repairs and work necessary to put and keep the same in such repair and condition.

4. Not to make any alterations to the Property without obtaining prior written consent (with adequate notice) from the Landlord.

5. At the determination of the said term the Tenant shall yield up to the Property to the Landlord in tenantable condition having removed the Tenant fixtures and fittings and the Property returned to the condition it was in prior to the commencement of the original 2020 Licence.

6. The Landlord may remove, store, sell or otherwise dispose of any goods or equipment which the Tenant fails to remove within 30 days of the end of the tenancy. The Tenant shall be liable for all costs reasonably incurred by the Landlord in doing so, of which the Landlord may deduct from any monies lawfully due to the Tenant at the end of the tenancy term.

7. To keep the Property clean, tidy and free from rubbish at all times.

8. To maintain Public Liability insurance cover in respect of the Property throughout the term.

9. Not to do or permit or suffer to be done on the Property or any neighbouring property anything, which in the opinion of the Landlord may be illegal, a nuisance or annoyance to or in any way interfere with the quiet comfort and business of the Landlord and its other Tenants.

10. The Tenant shall comply with all statutory requirements, including any Planning and Licensing legislation and Health and Safety requirements in force during the term.

11. To hire the Property to other community groups, with the prior approval of the Landlord, provided that the activities of any group fall within the Class E Planning Class under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2000.

12. Except as expressly stated under Clause 11, the Tenant shall not to assign, lease, sublet (or underlet) or otherwise transfer the Property.

13. To provide food and drink services from one of the two temporary horse trailers permitted on the Property, with opening and closing times to fall within the Operating Hours of the Property.

14. To comply with the Landlord's Environmental Policy of not permitting the sale of single use plastics on the Property.
15. To allow the Landlord key access for the purposes of emergency work and, when accessing the Property, the Landlord or any parties engaged by the Landlord exercising such rights of access will:
16. Cause minimum interference (where reasonably practical) with the Tenants use of the Property and make good to the Tenants' satisfaction (acting in a reasonable way) any damage that is caused to the Tenants' fixtures and fittings.
17. To permit Bude Croquet Club year-round access to the Property's toilet facilities.
18. To allow employees and users of ~~the summer green letting Body Bounce~~ to use the Property's toilet facilities during their Operational Hours of ~~Body Bounce's~~ the 2023~~2~~ Operating Season. ~~Body Bounce~~ The operator will engage and meet the full costs of a professional cleaner to service the Property's toilet facilities during their 2023~~2~~ Operating Season and pay the water costs of their operating season.
19. ~~To permit Body Bounce to make an alteration to the external electrical connection in advance of their 2022 Operating Season on a mutually agreed date with the Tenant. Not used~~
20. Permission to site garden storage type containers on the left hand side of the Property (marked in orange The Plan), subject to Landlord approval, having received confirmation of the number, type and dimension of the boxes.
21. Not to obstruct or damage the access way (marked blue on The Plan) at any time.
22. To keep the gate on the accessway locked at all times, save when the Property is being entered and exited.
23. To site two temporary horse trailers on the Property.
24. To site two permanent signs on the Property. Any further temporary signage will require the written permission of the Landlord.
25. The right to a reserved parking space marked in green on The Plan, with the option to install temporary, removable parking posts. The cost of installation and removeable at the end of the term to be met by the Tenant.
26. To operate the Pitch and Putt facility during the 2023~~2~~ Season (10am – 6pm, between 1st May 2023~~2~~ and 30th September 2023~~2~~) from one of the two horse trailers permitted on the Property, with any profit (defined as green fees less staffing costs) to be divided equally between the Landlord and Tenant.
27. To be responsible for the marketing and promotion of the Pitch and Putt facility during the course of the 2023~~2~~ Season, to include running and updating the Facebook page.
28. To advise the Landlord as soon as possible should the Pitch and Putt facility not be opened at any time during the 2023~~2~~ season.

29. THE Landlord hereby covenants with the Tenant as follows :-

- (a) To keep the structure of the Property in a good state of repair.
- (b) To manage the grassed areas surrounding the Property, to include the Pitch and Putt green.
- (c) That the Tenant paying the said rents and observing and performing all his obligations under the Lease may quietly hold and enjoy the Property without any interruption by the Landlord or any person claiming through or under or in trust of it.

PROVIDED always and it is hereby agreed and declared as follows :-

1. The Landlord may determine this Lease and re-enter the Property in the event of any portion of the rent hereby reserved being in arrears for 14 days (whether formally demanded or not) or in the event of the Tenant having a Bankruptcy Order made against him (or being a company is wound up voluntarily or compulsorily otherwise than for the purposes of amalgamation or reconstruction of a solvent company) or failing to observe or perform any of the stipulations on his part herein contained but the determination of the Lease shall be without prejudice to the right action of the Landlord in respect of any breach of such stipulations.
2. Any notice under this Lease shall be in writing and may be served either personally or leaving it for ~~them~~him at the Property (if ~~they~~he be the Tenant) or at ~~their~~his last known place of abode or by sending it registered post or the recorded delivery service to such premises or place and in the case of a notice served on the Landlord it may be served in the like manner upon any agent of the Landlord duly authorised in that behalf.
3. Nothing in this Lease or in any consent granted by the Landlord under this Lease shall imply or warrant that the Property may be lawfully used under the Town and Country Planning Act 1990 or any other planning legislation for the purpose authorised in this Lease (or any other person subsequently authorised).
4. If any dispute or difference shall arise between the Landlord and the Tenant touching any clause matter or thing whatsoever herein contained or the operation or construction thereof or any matter or thing in any way connected with this Lease or the rights duties or liabilities of either such party under or in connection with this Lease then and in every such case the dispute or difference shall be determined by a single arbitrator in accordance with the Arbitration Act 1950 to 1996 or any statutory modification or re-enactment thereof for the time being in force.
5. (i) On the _____ the Landlord served notice on the Tenant pursuant to the provisions of the Landlord and Tenant 1954 Act Section 38A(3) as

inserted by the Regulatory Reform (Business Tenancies) (England and Wales) Order 2003 and on the _____ the Tenant made a declaration pursuant to Schedule 2 of the Regulatory Reform (Business Tenancies) (England and Wales) Order 2003 a copy of which is annexed hereto

(ii) Pursuant to the provisions of 1954 Act Section 38A (1) as inserted by the Regulatory Reform (Business Tenancies) (England and Wales) Order 2004 the parties agree that the provisions of the 1954 Act Sections 24-28 inclusive are to be excluded in relation to the tenancy created by this Lease.

6 Any approval consent determination or authority given or granted by the Landlord as landlord in pursuance of the provisions of this Lease shall not be deemed to be given or granted by it in any other capacity than as Landlord.

IN WITNESS whereof the Landlord has caused its common seal to be hereunto affixed and the Tenant has signed this instruments as his Deed the day and year first written

THE COMMON SEAL of BUDE-STRATTON TOWN COUNCIL was hereunto affixed in the presence of:-

Executed as a Deed by (Landlord)

[_____] _____)

Before: _____)

Executed as a Deed by (Tenant)

[])

Before:)

BUDE-STRATTON TOWN COUNCIL



STANDING ORDERS

(Revised and adopted by the Full Council 24th February 2023)

FINANCIAL REGULATIONS

(Revised and adopted by the Full Council 9 December 2021)

SCHEME OF DELEGATION

(Revised and adopted by the Full Council 9 December 2021)

COMMITTEE TERMS OF REFERENCE

(Revised and adopted by the Full Council 9 December 2021)

Bude Stratton Town Council

Standing Orders

1. Definitions

'Full Council' – Regular or extraordinary meetings of the full council, convened in accordance with these Standing Orders

'Committee' – Regular or extraordinary meetings of the Planning, Staffing or Oversight committees

'Forum' – A group created under Standing Orders 3.1-3.13 to work on a specific task

Lead Cllr - A named individual councillor for a specific subject area, intended to facilitate communication between the Council and individuals or community groups with a specific interest. The named Cllrs will have an interest in the subject area and develop subject expertise and understanding of the local situation over time. They will both reach out to known interest groups and be a point of contact for relevant members of the community to get in touch over ideas or concerns.

2. Council Decision Making

1. All Council, Committee and Forum meetings will follow the Council's procedural rules set out in these Standing Orders and Financial Regulations when considering any matter.
2. All decisions of the Council will be made in accordance with reference to the strategy and vision of the Council and the environmental impact of any actions taken, always seeking to engage with the community and to understand its wishes.
3. The Town Clerk is responsible, under statute, for preparing the agendas for all meetings of the Town Council and its related bodies, and for circulation of them to meet statutory requirements. However, the Town Clerk will consult with the appropriate Chair during the course of preparation of Agendas.
4. The Chair works in partnership with the Town Clerk to make sure that the Council is properly informed for making lawful decisions during meetings.
5. Matters for inclusion on an Agenda should be made in writing to the relevant chair and Town Clerk.
6. Priority will be given to Agenda items where the Council has direct influence over policy or outcomes.
7. A resolution shall not be reversed within six months except by a special motion, which requires written notice by at least 6 councillors to be given to the Town Clerk only
8. The Town Clerk or other appointed officer as delegated by the Town Clerk will be present at all Full Council and Committee meetings, and will advise on any questions relating to the Standing Orders, Financial Regulations, legal requirements or committee procedures and will supervise the production of formal Minutes of the meeting.
9. Where, for whatever reason, a staff member is not able to attend a meeting, the meeting is not invalidated. The Chair presides and a Cllr may take the minutes.

3. Full Council and Committees

1. The Chair and vice Chair(s) of the Council will be the Mayor and deputy Mayor(s) respectively. The Proper Officer will be the Town Clerk.
2. **For full council meetings, a minimum of three clear days public notice will be given. This does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
3. **For committee meetings, a minimum of three clear days public notice will be given. This does not include the day on which the notice was issued or the day of the meeting**
4. Cllrs are expected to attend meetings
5. Any or every part of the Standing Orders, except those which are mandatory by law may be suspended by Council resolution in relation to any specific item of business
6. **For full council, meetings will not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
7. **All meetings will be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all a meeting will be by a resolution which will give reasons for the public's exclusion**
8. At the start of each full council meeting the chair can decide whether to say: "Bude-Stratton Town Council has signed the NALC Civility and Respect pledge. Civility and respect should be at the heart of public life, and good governance is fundamental to ensuring an effective and well-functioning democracy at all levels. The intimidation, abuse, bullying and harassment of councillors, clerks and council staff, in person or online, is unacceptable, whether

by councillors, clerks, council staff or public members. Any person adjudged by the Chair of the meeting to have breached this rule may be asked to apologise, withdraw their statement and /or leave the meeting"

9. Wherever possible, meeting venues will enable people with disabilities to participate fully in meetings

10. Unless standing orders say otherwise, members of the public are welcome to make representations and a part of the agenda will be allocated for this purpose. The Chair may agree to allow the public to contribute to debate at any point in a meeting.

11. Councillors are encouraged to answer any questions put to them under standing order 2.9, or to agree a timeframe and method of response where an immediate answer is not available.

12. A person who speaks at a meeting shall direct their comments to the Chair of the meeting, though may request their comments be directed to an individual councillor or officer.

13. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.

14. A summary record of public participation at a meeting will be included in the minutes of the meeting. Members of the public making representations under standing order 2.9 may request to have their name recorded in the minutes

15. Photographing, videoing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted but oral reporting during the meeting is not permitted as it would disrupt the meeting

16. The press will be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present

17. Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in their absence be done by, to or before the Deputy- Chair (if any)

18. At Full Council, the Chair, if present, will preside at a meeting. If the Chair is absent from a meeting, the Deputy-Chair, if present, will preside. If both the Chair and the Deputy-Chair are absent from a meeting, a Cllr as chosen by the Cllrs present at the meeting will preside at the meeting

19. All questions at a meeting will be decided by a majority of the Cllrs present and voting

20. In the case of committee, only members of the committee may vote.

21. The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote

22. Unless Standing Orders provide otherwise, voting on any question will be by a show of hands. At the request of a Cllr, voting on any question will be recorded to show whether each Cllr present and voting gave their vote for or against that question. Such request shall be made before the vote is taken

23. A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.

24. No business may be transacted at a meeting unless at least one third of the whole number of Cllrs are present and in no case will the quorum of a meeting be less than three

25. If a meeting is or becomes inquorate no business will be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

26. A meeting shall not exceed a period of three hours unless by resolution of those voting members present

27. The minutes of a meeting will record: the names of Cllrs present at the beginning of the meeting or when they arrive afterwards and/or leave before the end, apologies from Cllrs received by the Town Clerk; resolutions and a summary of discussions (including contributions from the public). Every page will be numbered and signed and dated by the Chair. The minutes, including any amendments to correct their accuracy, will be confirmed by resolution.

28. Notices convening full council meetings will indicate whether the meeting is 'Town Matters' or 'Council Matters' (see definitions).

29. Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

30. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.

31. Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

4. Forums

1. The creation of a Forum must be instituted through a motion at Full Council

2. The motion must detail the purpose of the forum, its aims and objectives, proposed terms of reference, a draft meeting schedule and a proposed timeframe for completion of its task

3. Full Council will, where possible, agree the full terms of reference for the Forum at the meeting in which the Forum is created. If it is considered more efficient by the chair, Full Council may adopt a summary Terms of Reference, allowing the Forum to undertake its business immediately. Such summary must include the aims and objectives, a draft meeting schedule, a timeframe for completion and details of any delegated decision making powers. Full Terms of Reference may then be drawn up by the Forum itself and brought back to Full Council at the next opportunity.
4. A forum may comprise any mix of councillors and non-councillors.
5. At its first meeting, the forum will appoint a lead councillor, who will act as chair.
6. The forum should report back monthly to either full council or Committee as agreed when the forum is constituted on progress.
7. At the end of its task, the forum should submit a written report to full council, along with any recommendations
8. A forum shall not last longer than its proposed timeframe without a further vote at full council
9. In general, no more than four forums shall run at any one time. However, additional forums can be set up if Full Council agrees that there is Councillor and Officer capacity.
10. At each forum, the chair will nominate a forum member to record the outcomes and action points, which will be agreed by those attending the meeting.
11. Forum meetings may be held in person or online, providing the Forums Terms of Reference do not delegate decision making powers. Forums with delegated decision making powers must follow the procedures set out for Committees in Standing Order 3.3-3.29.
12. All Forum meetings shall be open to the public. Invitations to the meetings and an agenda for items under discussion will be made to all councillors (whether or not they are members of the forum) and to the public at least three days in advance. This does not include the day on which the notice was issued or the day of the meeting
13. The Chair may agree to allow the public to contribute to debate at any point in a meeting.

5. Rules of Debate

1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
3. A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
4. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder.
5. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
6. If an amendment to the original motion is carried, the original motion as amended becomes the substantive motion upon which further amendment(s) may be moved.
7. A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder
8. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair.
9. Subject to standing order 5.10 below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
10. One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.
11. A councillor may not move more than one amendment to an original or substantive motion.
12. The mover of an amendment has a right of reply at the end of debate on it.
13. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
14. A councillor may speak once in the debate on a motion except:
 - a. to speak on an amendment moved by another councillor;
 - b. to move or speak on another amendment if the motion has been amended since they last spoke;
 - c. to make a point of order;
 - d. to give a personal explanation; or
 - e. in exercise of a right of reply.

15. The chair may allow further opportunity to speak in order to facilitate the flow of debate and provide full representation.
16. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
17. A point of order shall be decided by the chair of the meeting and their decision shall be final.
18. When a motion is under debate, no other motion shall be moved except:
 - a. to amend the motion;
 - b. to proceed to the next business;
 - c. to adjourn the debate;
 - d. to put the motion to a vote;
 - e. to ask a person to be no longer heard or to leave the meeting;
 - f. to refer a motion to a committee or sub-committee for consideration;
 - g. to exclude the public and press;
 - h. to adjourn the meeting; or
 - i. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
19. Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
20. Excluding motions moved under standing order 5.18 above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 2 minutes without the consent of the chair of the meeting.

6. Disorderly Conduct

1. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair shall request such person(s) to moderate or improve their conduct
2. If the person(s) disregard the request of the Chair to moderate or improve their conduct, any Cllr or the Chair may move that the person be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion. If motion is agreed the Chair may take further reasonable steps to restore order or to progress the meeting. This may include suspending or closing the meeting.

7. Ordinary council meetings

1. **In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**
2. **In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.**
3. **If no other time is fixed, the annual meeting of the council shall take place at 6pm.**
4. **In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.**
5. **The first business conducted at the annual meeting of the council shall be the election of the Chair and Vice-Chair of the Council, ideally completing a form (appendix *1)) The process would be as follows:**
 - i. A date for written submissions to be received to be set (one week prior to Annual Council for the Mayoral posts and one week before the relevant committee for the Committee Chair posts)
 - ii. Nominated Councillors (Candidates) and their Proposers would send written statements for roles applied for to the Town Clerk.
 - iii. Day after closing date the written submissions to be distributed to all Councillors.
 - vi. At the Annual Council Meeting (or relevant Committee), applicants and Proposes make public statements in support of application.
 - v. Voting takes place. If there are more than two candidates then voting takes place until an absolute majority is achieved, else, the candidate with lowest number of votes drops out and voting continues until only one candidate remains.
6. **The Chair of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the council.**

7. **The Vice-Chair of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the council.**
8. **In an election year, if the current Chair of the Council has not been re-elected as a member of the council, they shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.**
9. **In an election year, if the current Chair of the Council has been re-elected as a member of the council, they shall preside at the meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**
10. Following the election of the Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:
 - i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 5 above;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements, including legal agreements, with other local authorities, not-for-profit bodies and businesses
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. Appointment of Lead Councillors

8. Extraordinary Meetings

1. The Mayor may convene an extraordinary meeting of the Council at any time.
2. The Chair of a committee or Forum may convene an extraordinary meeting at any time.
3. **If the Mayor or Chair of a committee or Forum does not call an extraordinary meeting within seven days of having been requested to do so by two Cllrs, any two Cllrs may convene an extraordinary meeting. The public notice giving the time, venue and agenda for such a meeting must be signed by the two Cllrs**
4. If the Chair of a committee or Forum does not call an extraordinary meeting within seven clear days having been requested to do so by two members of that committee or Forum, any two members of the committee may convene an extraordinary meeting.

9. Voting on appointments

1. Written votes are envisaged where more than two persons have been nominated for a position to be filled by the Council. Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.

10. Motions

1. No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Town Clerk
2. If the wording or nature of a proposed motion is considered unlawful or improper, the Town Clerk will consult with the Chair of the forthcoming meeting or the Cllrs who have convened the meeting, to consider whether the motion will be included in the agenda.
3. Having consulted the Chair or Cllrs, the decision of the Town Clerk as to whether to include the motion in the agenda will be final

4. Every motion rejected in accordance with the Council's standing orders will be duly recorded by the Town Clerk giving reasons for its rejection which will be open to inspection by all Cllrs.

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

1. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
2. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 8 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
3. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 11.2 above, correct obvious grammatical or typographical errors in the wording of the motion.
4. If the Proper Officer considers the wording of a motion received in accordance with standing order 11.2 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 8 clear days before the meeting.
5. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting (or in their absence the vice-chair of the meeting, or the Mayor or Deputy Mayor) or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
6. Subject to standing order 11.5 above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
7. Motions received shall be recorded in a book or suitable format (such as electronic means) for that purpose.
8. Motions rejected shall be recorded in a book or suitable format (such as electronic means) for that purpose with an explanation by the Proper Officer for their rejection.
9. A written notice of motion shall not relate to any matter which may be considered under the Council's Code of Conduct, Complaints Procedure or employment policies.

12. Motions at a meeting that do not require written notice

The following motions may be moved at a meeting without written notice to the Proper Officer;

- a. to correct an inaccuracy in the draft minutes of a meeting;
- b. to move to a vote;
- c. to defer consideration of a motion;
- d. to refer a motion to a particular committee, sub-committee, forum or officer of the council;
- e. to appoint a person to preside at a meeting;
- f. to change the order of business on the agenda;
- g. to proceed to the next business on the agenda;
- h. to require a written report;
- i. to appoint members to committee, sub-committee or forum;
- j. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- k. to not hear further from a councillor or a member of the public;
- l. to exclude a councillor or member of the public for disorderly conduct;
- m. to temporarily suspend the meeting;
- n. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- o. to adjourn the meeting; or
- p. to close a meeting.
- q. To appoint a Lead Councillor, or to amend or create a Lead Councillor subject area
- r. To make amendments to the Terms of Reference of a Forum

13. Management of information

1. The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

2. The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
3. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
4. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

14. Draft minutes

1. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
2. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 12.1.a above.
3. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
4. If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:
"The chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
5. Upon a resolution which confirms the accuracy of the minutes of a meeting, any draft minutes of the meeting for which approved minutes exist shall be destroyed. Any recordings of meetings which are created for public viewing to be available for 4 years

15. Code of conduct and dispensations

General

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

Members and the Code of Conduct

5. All councillors and members of the public co-opted to serve on Council committees and sub committees shall observe the Code of Conduct adopted by the Council.
6. All councillors and members of the public co-opted to serve on Council committees and sub committees shall maintain a Register of Disclosable Pecuniary Interests, and must update their register by notifying the Monitoring Officer and the Clerk of any changes within 28 days. All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
7. Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed
8. Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a non-registerable interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.
9. Where a non-registerable interest arises from membership of an outside body as defined in 3.5a of the Council's code of conduct, a councillor may remain in the room to address the meeting, provide a short statement and answer questions for no more than three (3) minutes before leaving the room at the request of the Chair.

10. A Councillor must record in a register of interests maintained by the Proper Officer any gifts or hospitality that are offered or received in connection with their official duties as a member and the source of the gift or hospitality worth £50 or over.

11. A Member of the Council may, for the purposes of their duty as a member but not otherwise, inspect any document which has been considered by a Committee or by the Council. The Proper Officer or Solicitor to the Council may decline to allow inspection of any document which is protected by other legislation or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client. All Minutes kept for any Committee shall be open for the inspection of any member of the Council during office hours.

Dispensations

12. Dispensation requests shall be in writing (using the Dispensation form in Appendix *3) and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required

13. A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.

14. A dispensation request shall confirm:

- a. the description and the nature of the disclosable pecuniary interest or other interest
- b. to which the request for the dispensation relates; whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- c. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- d. an explanation as to why the dispensation is sought.

15. This policy shall apply to all meetings of the Council, its committees and sub-committees.

16. No dispensation will be awarded for any meeting where there are no minutes of the proceedings.

16.Code of conduct complaints

1. Notification of any complaint shall remain confidential to the Proper Officer of the Council until such time as the matter has been concluded.

2. Where the notification in standing order 16.1 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 16.6 below

3. Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint

4. The council may:

- a. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- b. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- c. indemnify the councillor in respect of their related legal costs and any such indemnity is subject to approval by a meeting of the full council.

5. References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

6. Upon notification by the Cornwall Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider any recommendations and what, if any, action to take against them. Such action excludes disqualification or suspension from office and shall be limited to those sanctions recommended by the Monitoring Officer as part of the Decision Notice.

17.Proper Officer

1. The Proper Officer shall be the Town Clerk. Other staff member(s) nominated by the Council (at a full council meeting) or delegated by the Town Clerk in writing shall undertake the work of the Proper Officer in matters relative to their role(s) when the Proper Officer is absent.

2. The Proper Officer shall:

- a. **At least three clear days before a meeting of the council, a committee or Forum serve on councillors a summons by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the date, time, place and the agenda (provided the Councillor has consented to service by email) and provide, in a conspicuous place, the public notice of the**

- date, time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**
- b. subject to standing order 10 above, include on the agenda all motions unless a councillor has given written notice at least 8 days before the meeting confirming their withdrawal of it;
 - c. convene a meeting of full council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**
 - d. facilitate inspection of the minute book by local government electors;**
 - e. receive and retain copies of byelaws made by other local authorities;**
 - f. hold acceptance of office forms from councillors;
 - g. hold a copy of every councillor's register of interests;
 - h. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - i. liaise, as appropriate, with the Council's Data Protection Officer;
 - j. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
 - k. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
 - l. arrange for legal deeds to be executed;
 - m. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations.
 - p. manage access to information about the Council via the publication scheme; and
 - q. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.

18. Responsible Financial Officer

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

19. Accounts and accounting statements

1. "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England)
2. All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
3. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - a. the council's receipts and payments for each quarter;
 - b. the council's aggregate receipts and payments for the year to date;
 - c. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
4. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - a. each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
 - b. to the full council the accounting statements for the year in the form of Section 2 of the Annual Governance and Accountability Return, as required by proper practices, for consideration and approval.
5. The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

20. Financial controls and procurement

1. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - a. the keeping of accounting records and systems of internal controls;
 - b. the assessment and management of financial risks faced by the council;

- c. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - d. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - e. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
2. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
3. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 20.6 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
4. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- a. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - b. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - c. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - d. tenders are to be submitted in writing in a sealed marked envelope addressed to the Town Clerk in the ordinary course of post or to an appointed suitably qualified external specialist.
 - e. tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of the Mayor / Deputy Mayor of Chair / Vice Chair of a Committee, or by an appointed suitably qualified external specialist, who has checked the accuracy of the tenders prior to submitting a sealed formal tender report/summary to the council or committee;
 - f. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility;
5. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
6. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £213,477(inc VAT) for a public service or supply contract or in excess of £5,336,937(inc VAT) for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
7. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

See also Financial Regulations for full rules and legislation

21. Handling staff matters

1. A matter personal to a member of staff that is being considered by a meeting of council OR the Staffing Committee is subject to standing order 12 above.
2. Subject to the Council's policies regarding the handling of performance, capability and disciplinary matters, the Council's most senior staff member (or other member of staff) shall contact the Chair of Staffing Committee or in their absence the Vice Chair of the Staffing Committee in respect of an informal or formal matter and this shall be reported back and progressed by resolution of the Staffing Committee in accordance with its terms of reference.
3. Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chair of the Staffing Committee or, if they are not available, the vice-chair of the Staffing Committee of any significant absence occasioned by illness or other reason and that person shall report such absence to the Staffing Committee at its next meeting.

4. The chair and/or the vice-chair of the Staffing Committee conduct an annual appraisal of the work of the Town Clerk. The review shall be reported in writing and are subject approval by resolution by the Staffing Committee The Town Clerk shall conduct the annual appraisals of those staff in their immediate line management and line managers will conduct annual appraisals for the staff subordinate to them.
5. Subject to the council's policy and staff handbook regarding the handling of grievance matters, the Town Clerk shall contact the chair of the Staffing Committee or in their absence, the vice- chair of the Staffing Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Committee.
6. Subject to the council's policy regarding and staff handbook the handling of grievance matters, if an informal or formal grievance matter raised by an employee relates to the chair or vice-chair of the Staffing Committee, this shall be communicated to another member of the Staffing Committee, which shall be reported back and progressed by resolution of the Staffing Committee.
7. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
8. The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
9. Only council officers with line management responsibilities shall have access to staff records referred to in standing orders 21.7 and 21.8 above if so justified.
10. The council will identify two persons with line management responsibilities who may have access to staff records referred to in standing order 21.7.
11. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 21.6 and 21.7 above shall be provided only to the Town Clerk.

22. Responsibilities to provide information

See also standing order number 23

1. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
2. **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**
3. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chair of a duly delegated Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

23. Responsibilities under Data Protection Legislation *(Below is not an exclusive list).*

See also standing order number 13

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

24. Relations with the press/media

1. Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

25. Execution and sealing of legal deeds

1. A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
2. **Subject to standing order 24.1 above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

26. Communicating with Unitary Councillors

1. An invitation to attend a meeting of the council shall be sent, together with the agenda, to the Division councillor(s) of the Unitary Authority.
2. Unless the Council determines otherwise, a copy of relevant correspondence sent to the unitary authority shall be sent to the divisional councillor(s) representing the area of the Council.
3. At the Chair's discretion, a divisional member may be invited to speak during any item on the agenda to make a short statement and answer any questions.

27. Restrictions on councillor activities

1. Unless authorised by a resolution, no councillor shall:
 - i. inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.
 - iii. incur any expenditure on behalf of the council or issue an instruction to incur expenditure.
2. Councillors are requested to be mindful of the use of time and resources when sending e-mails and consider the use of the "reply all" function when making responses.

28. Standing orders generally

1. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
2. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 10 above.
3. The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after they have delivered their acceptance of office form.
4. The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

29. Lead Councillors

1. BSTC may fund training and promote attendance for Lead Councillors at outside events in order to extend their knowledge base
2. Lead Cllrs are not permitted to make decisions on behalf of the whole Council, nor to agree to any further action beyond taking a matter further and presenting it to the Council for a decision to be made
3. Lead Cllrs will discuss issues with appropriate Council staff when the matter affects council led services.
4. Subject areas may have joint Lead Councillors where they can act to support each other or operate alone. Some Cllrs may have Lead status in more than one subject.
5. The existence of Lead Councillors does not affect the rights of the public to contact their Ward Cllrs, any Cllr of their choosing, or the office to raise a matter.

BUDE-STRATTON TOWN COUNCIL FINANCIAL REGULATIONS (© NALC)

1. GENERAL

1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders and any individual financial regulations relating to contracts.

1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3. The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;
- to prevent and detect inaccuracy and fraud; and
- identifying the duties of officers.

1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.

1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6. Deliberate or wilful breach of these Regulations by an employee will give rise to disciplinary proceedings.

1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.

1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The clerk has been appointed as RFO for this council and these regulations will apply accordingly.

1.9. The RFO;

- acts under the policy direction of the council;
- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the council its accounting records and accounting control systems;
- ensures the accounting control systems are observed;
- maintains the accounting records of the council up to date in accordance with proper practices;
- assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
- produces financial management information as required by the council.

1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

1.11. The accounting records determined by the RFO shall in particular contain:

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the council; and
- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the RFO shall include:

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;

- approving an annual governance statement;
- borrowing;
- writing off bad debts;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.

1.14. In addition the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £20,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or ‘the regulations’ shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified. In these financial regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners’ Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

2.2. On a regular basis, at least once in each quarter, and at each financial year end, the Chairman of the a duly designated Committee, is to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Finance and Property Committee.

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.

2.6. The internal auditor shall:

- be competent and independent of the financial operations of the council;
- report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- have no involvement in the financial decision making, management or control of the council.

2.7. Internal or external auditors may not under any circumstances:

- perform any operational duties for the council;
- initiate or approve accounting transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

2.8. For the avoidance of doubt, in relation to internal audit the terms ‘independent’ and ‘independence’ shall have the same meaning as is described in proper practices.

2.9. The RFO shall make arrangements for the exercise of electors’ rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

3.1. Each committee (with a budget) shall review its revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of December each year.

3.2. The RFO must each year, by no later than December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the council.

3.3. If the council has or implements a 3 year forecast, the council shall consider annual budget proposals in relation to the council's 3 year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

4.1. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.2. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.3. In cases of extreme risk to the delivery of council services, the Facilities Manager in conjunction with the Town Clerk may authorise revenue expenditure on behalf of the council which in their judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,500. The Town Clerk (or RFO) shall report such action to the chair as soon as possible and to the council as soon as practicable thereafter.

4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Staffing Committee. The RFO will inform committees of any changes impacting upon their budget requirement for the coming year in good time.

4.5. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

4.6. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.7. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.

4.8. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

4.9. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

the council for all items over £20,000;

a duly delegated committee of the council for items over £2,500; or

the Town Clerk, in conjunction with Chair of Council or Chairman of the appropriate committee, for any items below £2,500

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety

and efficiency. The authorised signatories will comprise all nominated members of a duly delegated Committee, the Town Clerk and the Castle and Communities Manager.

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to Council or a duly delegated Committee. The council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council or a duly delegated Committee. The approved schedule shall be signed by two member signatories and the RFO. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

5.4. The RFO shall examine invoices for arithmetical accuracy and allocate them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council or a duly delegated Committee.

5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or a duly delegated Committee
- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council or Finance and Property Committee; or
- c) Where an item has been agreed for payment by resolution by council or a committee acting under delegated authority

5.6. For each financial year the RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation and the like for which council or a duly authorised committee may authorise payment for the year. Provided that the requirements of regulation 4.8 are adhered to, provided that a list of such payments shall be submitted to the next appropriate meeting of the council or a duly delegated Committee

5.7. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant shall before payment, be subject to ratification by resolution of the council.

5.8. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

5.9. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

6.1. The council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.

6.3. All payments shall be effected by online payment, BACS, cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council or duly delegated committee.

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council, and countersigned by the Town Clerk or RFO, in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council or Finance and Property Committee at the next convenient meeting.

- 6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.
- 6.8. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made.
- 6.9. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing who entered and who approved the payment.
- 6.10. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.11. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.12. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.13. Where internet banking arrangements are made with any bank, the Town Clerk or RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.14. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.15. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the RFO. A programme of regular checks of standing data with suppliers will be followed.
- 6.16. Any pre-paid debit card issued for use will be specifically restricted to the Town Clerk and the RFO. The maximum balance shall not exceed £1000 on either card and will also be restricted to a single transaction to the maximum balance.
- 6.17. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Clerk and RFO, but not exceed £500, and reported to the next appropriate a duly delegated Committee meeting. Transactions and purchases made will be reported to the council or Finance and Committee and authority for topping-up shall be at the discretion of the council or Finance and Property Committee.
- 6.18. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 6.19. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- a) The RFO shall maintain a petty cash float for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment. The petty cash levels shall be:
- For the Parkhouse (Council) Office - £100
 - For the Castle - £300
 - The Library - £50
- b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that

each payment or collective payment is reported to the next available council meeting, as set out in these regulations above.

7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Staffing Committee.

7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record. This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

- a) by any councillor on the staffing committee who can demonstrate a need to know;
- b) by the internal auditor;
- c) by the external auditor; or
- d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

7.6. Any termination payments shall be supported by a clear business case and reported to the staffing committee for a recommendation to full council. Termination payments shall only be authorised by the full council.

7.7. An effective system of personal performance management should be maintained for the senior officers.

7.8. Before employing interim staff, the council must consider a full business case.

7.9. The Council has resolved to be a real living wage employer.

8. LOANS AND INVESTMENTS

8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3. The Mayor may request that the RFO sends them a copy of each statement of account.

8.4. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

8.8. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.

9.3. The council will review all fees and charges at least annually, following a report from the RFO (see category list appendix *2)

9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.

9.6. The origin of each receipt shall be entered on the paying-in slip.

9.7. Personal cheques shall not be cashed out of money held on behalf of the council.

9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance,

that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10. ORDERS FOR WORK, GOODS AND SERVICES

10.1. Where appropriate an official order or letter shall be issued for work, goods and services. Copies of orders shall be retained.

10.2. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.

10.3. A member may not issue an official order or make any contract on behalf of the council.

10.4. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

10.5. Order books shall be overseen by the RFO.

11. CONTRACTS

11.1. Procedures as to contracts are laid down as follows:

Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:

for the supply of gas, electricity, water, sewerage and telephone services;

for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;

for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;

for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;

for additional audit work of the external auditor up to an estimated value of £500, in excess of this sum the Town Clerk or RFO shall act after consultation with the Chairman and Vice Chairman of council; and

for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations¹.

The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).

When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

Such invitation to tender shall state the general nature of the intended contract and the Town Clerk, RFO or Facilities Manager shall obtain the necessary technical assistance to prepare a specification in appropriate cases.

The invitation shall in addition state that tenders must be addressed to the Town Clerk in the ordinary course of post or to an appointed suitably qualified external specialist. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of the council or committee or by an appointed suitably qualified external specialist, who will check the accuracy of the tenders prior to submitting a sealed formal tender report/summary to the council or committee. This sealed formal tender report/summary to be dealt with in accordance with Standing Orders.

¹ The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

Any invitation to tender issued under this regulation shall also be subject to Standing Orders 20 and shall refer to the terms of the Bribery Act 2010.

When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Town Clerk or RFO, or relevant Officer, shall obtain at least 3 quotations

(priced descriptions of the proposed supply); where the value is below £5,000 and above £500 the Town Clerk or RFO, or relevant Officer, shall strive to obtain 3 estimates. Otherwise, Regulation 10.2 above shall apply.

The council shall not be obliged to accept the lowest or any tender, quote or estimate.

Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)

12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council or relevant committee.

12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council or relevant committee and confirmed by the Town Clerk or RFO to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

13.4. The RFO, or a delegated representative, shall be responsible for periodic checks of stocks and stores at least annually.

14. ASSETS, PROPERTIES AND ESTATES

14.1. The Town Clerk or RFO shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £500.

14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.5. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

14.6 Building Log Books will be created and maintained to record works undertaken on each project.

15. INSURANCE

15.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers in consultation with the Town Clerk.

15.2. The Town Clerk, Facilities Manager or Castle Manager shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

16. CHARITIES

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

17. RISK MANAGEMENT

17.1. The council is responsible for putting in place arrangements for the management of risk. The Town Clerk and RFO (if relevant in conjunction with any appropriate senior Officer) shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council as required.

17.2. When considering any new activity, the Clerk with the RFO, Facilities Manager, Castle Manager or appropriate Officer, shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

18.1. It shall be the duty of the a duly delegated Committee to review the Financial Regulations of the council from time to time and make appropriate recommendations to the Full Council. The Town Clerk and RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise a duly delegated Committee of any requirement for a consequential amendment to these Financial Regulations.

18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

SCHEME OF DELEGATION

This Scheme of Delegation forms part of the Council's Financial Regulations and will be reviewed at least annually or earlier, for example when there are staffing changes.

Those with delegated responsibility are referred to by job title, therefore any changes in job titles will trigger a review of this scheme.

One of the purposes of the document is to clearly define the parameters within which Officers of the Council are able to act without reference to either their line managers or Members. Where consultation with others is a requirement of the ability to act it is clearly set out with whom that consultation should take place.

Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.

The various delegated powers given by the Council to its various committees are covered within the Terms of Reference of each Committee.

Delegation to Officers

Town Clerk / Responsible Finance Officer (Proper Officer)

The Town Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

1. General Matters

The Town Clerk is authorised:-

1. to sign on behalf of the Council any document necessary to give effect to any decision of the Council.
2. to take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
3. to institute, defend and appear in any legal proceedings authorised by the Council.
4. to appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the community)
5. to decide arrangements for the closure of the Council offices in the Christmas/New Year period, subject to consultation with the Mayor.
6. to manage the Council's facilities and assets, including, open spaces, amenity areas, Parkhouse Centre, Castle Heritage Centre, Library and other buildings and assets.
7. to act as the Council's designated officer for the purposes of the Freedom of Information Act 2000.
8. to act as the Council's Proper Officer as per section 281 Local Government Act 1972.

2. Financial Matters

The Town Clerk is authorised as follows:-

1. To incur expenditure up to a maximum of £2000 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Constitution.
2. To use the Repairs and Maintenance Budgets for the maintenance, replacement or repair of existing property or equipment.
4. To compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.

3. Staffing Matters

The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, including:-

- 1) The appointment of staff other than that of senior managers
- 2) the employment of temporary employees.
- 3) control of staff performance and discipline and performance, including the power of suspension and dismissal, in accordance with the policies set by the Staffing Committee and approved by Council.
- 4) payment of expenses and allowances in accordance with the Council's scheme;

4. Property Matters

The Town Clerk is given authority to manage the land and property of the Council including:-

- 1) agreeing the terms of any lease, licence, conveyance or transfer approved by Council.
- 2) the granting or refusal of the Council's consent under the terms of any lease;
- 3) variations of restrictive covenants of a routine nature;
- 4) initiating legal action or proceedings against unauthorised encampments on Council land
- 5) Manage the disposal of unwanted assets.

5. Urgency

The Town Clerk is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council or relevant committee. The Mayor and the Chairman of any relevant committee are to be consulted before such action is taken.

Castle and Communities Manager

Authorised to:

1. be responsible for the running of the Castle and Library within approved budget
2. make purchases of supplies and stocks
3. set café and shop prices, including promotional discounts
4. approve membership applications
5. approve advertising and social media posts
6. negotiate/approve hire for all Castle & Library spaces
7. manage complaints and complements
8. approve internal aesthetic design concepts/interior design

Heritage Development Officer

Authorised to:

1. manage and approve accession of historical artifacts into the collection

Facilities Manager

Authorised to:

1. be responsible for the running of the Work Unit and vehicle fleet
2. make purchases of supplies and stocks
3. take action to ensure compliance with Health and Safety legislation and best practice
4. carry out maintenance up to a £1,000 on all BSTC properties
5. place Facilities Operatives on essential training as required
6. oversee planting regime as approved by committee

Committee Terms of Reference Applicable to all Committees

The Terms of Reference of all Committees are subject to the following reservations:

1. That powers be exercised in accordance with any policy adopted or directions given by the Town Council
2. That powers be subject to the Council's Standing Orders and Financial Regulations
3. That any unresolved differences between Committees shall be referred to Full Council for determination
4. That any proposal which involves any change in the existing policies already approved by the Council shall be submitted to the Full Council for approval
5. Day to day management of Council matters rests with the Town Clerk
6. Urgent/emergency matters may be dealt with as they arise by the Town Clerk in consultation with the Chair of Committee (or in their absence the Vice Chairman) and Mayor and reported to the next appropriate Committee or Full Council meeting, whichever is first
7. Committees will bring to the attention of Council any matters being pursued by other local authority/statutory/voluntary or other bodies which have a beneficial or detrimental effect on the Bude-Stratton area
8. Guest speakers should normally be limited to one per meeting with a time limit placed upon them
9. There will be, during each Committee meeting, a quarter of an hour public session with members of the public being able to speak and ask questions concerning the business of the Council in accordance with the Standing Orders and Financial Regulations. During Planning Committee meetings members of the public may speak at the discretion of the Chair and with the approval of members of the Planning Committee
10. Committees will monitor/respond with critical appraisals to minutes, reports, documentation which from time to time are received from Cornwall Council or other bodies which have been brought to the Council's attention by the Town Clerk/individual Councillors or member of the public which may have an adverse or beneficial effect on the Bude-Stratton area

Delegation of Authority to Sub-Committees

Where a function within the Terms of Reference of a Committee has been further delegated to a Sub-Committee or Forum that Sub-Committee or Working Group will report its findings/recommendations back to the appropriate Committee or direct to the Council, as per the remit. A Forum will be led by a named Councillor, set clear objectives and timescales for its work and shall report progress to its parent body on a regular basis.

Terms of Reference - Oversight Committee

This Committee oversees the relationship between Councillors, officers and staff, and provides direction on matters of administration and general Council functions

COMPOSITION - Mayor and Deputy Mayor (ex-officio, voting)

Plus any other members up to a maximum of twelve voting and six non-voting

CHAIRING - Chair and Vice Chair to be elected from the members of the Committee at the first meeting in each Council year

QUORUM - The quorum will be four voting members

MEETINGS - One per month. In the event of an item of urgency to be convened by the Town Clerk

REPORTS TO - Full Council

ADMINISTRATION - Local Government Act 1972/Local Government Act 1999

LEGAL STATUS - Public, in accordance with Town Council's Standing Orders

Terms of Reference & Matters Delegated to the Committee:

1. On an annual basis the preparation and review of the strategic objectives and priorities of the Committee
2. To liaise with Council staff and officers as may be necessary to facilitate the smooth running of administrative matters, including internal and external communications
3. To liaise with staff to facilitate the provision of the Library and Information Service
4. To liaise with staff to facilitate the provision of services at the Castle Heritage Centre and all ancillary operations, including event arrangements
5. To liaise with staff to facilitate the provision of services at the Parkhouse Centre
6. To liaise with staff to facilitate the provision of Facilities Management services
7. To review resolutions made by Full Council and the Oversight Committee, check on their progress and recommend actions to expedite if needed
8. To prioritise, action and review progress on a portfolio of administrative projects as delegated to the committee by Full Council
9. To receive updates from Council forums, check on their progress and recommend actions to expedite their activities if needed.
10. To discuss existing Council policies with a view to recommending alterations to Full Council
11. Reviewing the level of fees and charges associated with Council services and making appropriate recommendations to Full Council
12. To receive and approve schedules of payments
13. To undertake annually the risk assessment in the relation to the Council's insurance cover
14. To insure against such risks as the Committee deems necessary to cover
15. To agree virements between approved budget headings
16. To make Recommendations to the Council on the use of financial reserves
17. To make Recommendations to the Council on capital expenditure not already provided for in Council's estimates of expenditure for the current financial year
18. To review the Standing Orders and Financial Regulations on a regular basis and make Recommendations to the Council
19. To consider the renewal of leasing/licensing agreements
20. To consider such other matters of a general nature not clearly falling within the Terms of Reference of the other Committees
21. Making Recommendations to the Council on all matters not within existing policy
22. Consultation with other relevant bodies with similar interests, including other Town Council Committees and Sub- Committees, and consideration of their recommendations

Matters not delegated to the Committee:

1. The consideration of new and reviews of consultation and policy documents of other bodies and any other consultation documents
2. Any matter falling within the remit of the committee which involves the introduction of a new policy or future direction and strategy

Terms of Reference - Planning Committee

This Committee resolves the Town Council's response to Planning Applications passed on for consultation by Cornwall Council and deals with all matters involving the planning process and development of the Town.

COMPOSITION - Elected members (voting) – nine All other Councillors – non-voting

CHAIRING - Chair and Vice Chair to be elected from the members of the committee at the first meeting in each council year

QUORATE - The quorum will be three members

MEETINGS - Every two weeks, Wednesdays, 15.00, The Parkhouse Centre

REPORTS TO - Town Council

ADMINISTRATION - Local Government Act 1972/Local Government Act 1999

LEGAL STATUS - Public, in accordance with Town Council's Standing Orders

Terms of Reference & Matters Delegated to the Committee:

1. On an annual basis the preparation and review of the strategic objectives and priorities of the Committee
2. To respond on behalf of The Town Council to all applications for development within Town Council area (including Listed Building, Conservation Area consents, consent for advertisement displays etc.) received from Cornwall Council. The Planning Committee will respond to Cornwall Council
3. Any planning application that is deemed by the committee to impinge on the town to a significant degree should, if time permits, be referred to full Council
4. To respond to consultation documents regarding tree preservation and other matters regarding general land development
5. To consider all appeals against planning refusal by Cornwall Council within Bude-Stratton Town Council area and to submit comments to the Department for Communities and Local Government
6. To consider any proposals for new and reviews of the Core Strategy and any other consultation documents of a planning nature and to make recommendations to the Council
7. During Planning Committee meetings members of the public may speak at the discretion of the Chair and with the approval of members of the Planning Committee
8. The delegated powers to exercise the Town Council's powers to consider applications under the Licensing Acts
9. To review the Neighbourhood Development Plan
10. To input to the economic development plans for the Town and liaise with the Bude Town Team and Bude Climate Change Partnership
11. Authorisation of expenditure within the committees budget, provided that the payment is made from a budget that is within the limits previously approved by the Council. The committee cannot commit or spend from future budgets not confirmed or from future years.
12. To consider and submit to Full Council estimates of income and expenditure on continuing services
13. To be responsible for expenditure within the limits previously approved by the Council
14. The consideration of Recommendations of sub-committees, working groups etc. under the control of the Planning Committee
15. Consultation with other relevant bodies with similar interests, including other Town Council committees and sub- committees, and consideration of their recommendations

Matters not delegated to the Committee:

Any matter falling within the remit of the Committee which involves the introduction of a new policy or changes to existing policy, future direction and strategy

Terms of Reference – Staffing Committee

This Committee has responsibility for all Staffing and Conduct matters (making recommendation to Full Council as necessary)

COMPOSITION - The Mayor and Deputy Mayor (ex-officio, voting)

Plus any other members up to a maximum of nine voting

CHAIRING - The elected Mayor and Deputy Mayor will be the chair/vice chair respectively

MEETINGS - To have a minimum of four meetings per year and additional meetings convened as and when required. Meetings will normally be during office working hours (Monday - Friday 9am - 5pm)

The quorum will be three members

The councillors who serve on the Staffing Committee should have some HR experience and be willing to commit to undertake employment law training as soon as they are elected to the committee

Whilst the composition of the committee will be reviewed annually at the Annual Meeting of the Town Council it is recognised that a stable membership of the committee is desirable and as such membership of the committee should be seen as a long term commitment with a change to its membership only being made if absolutely necessary as staffing matters are by their very nature personal. Committee members must be able to show a willingness to commit to attend regularly and undertake training

A member will not be eligible for the committee if they have been the subject of an upheld grievance or finding of a breach of the Code of Conduct by or relating to a member of BSTC staff. This bar to membership is to remain in force for the duration of the current council

The committee may, at its discretion, co-opt additional members from the full Council in order to carry out its function as a Staffing Committee

There will be no public participation at the meetings of the committee

Discipline and grievances will be dealt with in accordance with the Councils policy

All Town Council members are free to attend Staffing Committee meetings with the proviso that if they are not a member of the Staffing Committee they will be asked to leave in relation to 'In committee' items

Extra Terms:

Terms of Reference & Matters Delegated to the Committee:

1. To consider such matters as may be delegated by the Council from time to time
2. The overall performance of the staff, delegating the day to day line management to the Town Clerk
3. To review and implement all employment policies in consultation with members of staff
4. To maintain the staffing levels necessary to efficiently discharge the work required by the Council and to review the workloads periodically and report any recommendations for change to the full Council
5. To assist, when required, the Town Clerk in shortlisting and interviewing staff and to appoint staff as required to carry out the decisions and functions of the Council
6. To shortlist and interview prospective candidates for the role of Town Clerk and to make a recommendation to the Council as to the most suitable candidate
7. To review job descriptions, person specifications, staff establishment (including promotion, re-grading, redundancies and fixed term contracts) and to approve contracts of employment
8. The Town Clerk manages attendance, short term sickness, return to work interviews, annual leave, maternity leave, paternity leave, adoption leave, compassionate leave, flexible leave requirements and staff Inductions; long term sickness will be reported to the Staffing Committee and the committee is delegated the powers to resolve any associated matters
9. To maintain confidentiality over all staffing matters as required under the Data Protection Act 2018 and the Code of Conduct
10. To deal with all matters relating to councillor/staff conduct
11. Ensuring the delivery of annual staff appraisals and noting and agreeing any actions and outcomes
12. The Mayor will carry out the Town Clerks annual appraisal and report any actions and outcomes to the committee
13. To consider and implement any changes which are required to comply with Employment Law, Health and Safety law and Terms and Conditions of Service as laid down by the National Joint Council (Green Book) and recommended by the National Association of Local Councils and Society of Local Council Clerks
14. In the event of disciplinary or grievance matters being raised the committee will elect a Disciplinary and Grievance Panel comprising three panel members (from within the Staffing Committee) with three members

(from within the Staffing Committee) acting as the Appeal Panel if necessary. All members serving on the Disciplinary and Grievance Hearing Panel and Appeal Panel will have undertaken the appropriate training. The Panels are delegated the powers to make a decision on disciplinary and grievance matters on behalf of the Town Council. The Disciplinary and Grievance Panel will report the Panels final decision to the Staffing Committee for information once the timescale for lodging an Appeal has lapsed. The Appeal Panel will report the Panels final decision to the Staffing Committee for information. If felt necessary by either Panel it has the delegated approval (including financial) to seek outside professional assistance in order to conclude a disciplinary or grievance matter

15. Carrying out an annual review of the Council's employment policies, making recommendations to full Council for any alterations/amendments
16. To prepare and submit to Full Council budget proposals in respect of salaries and training for all staff not later than 30 November each year
17. Authorisation of expenditure within the committees budget, provided that the payment is made from a budget that is within the limits previously approved by the Council. The committee cannot commit or spend from future budgets not confirmed or from future years.
18. All aspects of Health and Safety that fall within the remit of the committee
19. Making Recommendations to the Council on all matters not within existing policy

Matters not delegated to the Committee:

Any matter falling within the remit of the committee which involves the introduction of a new policy or changes to existing policy, future direction and strategy

Terms of Reference – Properties Committee

COMPOSITION:	Elected members (voting) – nine All other Councillors – non-voting
CHAIRING:	Chair and Vice Chair to be elected from the members of the Committee at the first meeting in each Council year
MEETINGS:	As and when necessary
TIMING:	Wednesday at 1.00 p.m.- or as otherwise arranged
REPORTS TO:	Full Council
ADMINISTRATION:	Town Council
LEGAL STATUS:	Local Government Act 1972/Local Government Act 1999 Public, in accordance with Town Council’s Standing Orders

Terms of Reference & Matters Delegated to the Committee:

1. To oversee the refurbishment, operation and on-going management of 1 Lord’s Court, Stratton. Including ensuring appropriate standards and compliance with legislation is adhered to and to manage all aspects of tenancies of the property.
2. To draft, negotiate with the lessee/licensee terms and conditions of leases/licences for all Town Council property and land and submit recommendations for consideration by the Full Council
3. To consider the renewal of leasing/licensing agreements and make Recommendations to the Full Council if it is not felt appropriate to continue such an agreement
4. To consider the securing and security of all Town Council property and land and make Recommendations to the Full Council
5. To maintain the register of all Town Council property and ensure and maintain its registered title at the Land Registry
6. To maintain the exterior and structural fabric of all Council buildings/structures
7. To consider and submit to the Council annual estimates of income and expenditure on continuing services and capital expenditure for the forthcoming year
8. Authorisation of expenditure within the committee’s in year budget or reserves allocated to designated property projects by Full Council.
9. Acceptance of tenders and supervision of contracted projects – provided expenditure is within the budgetary provision and is for areas within the scope of the Committee
10. To consider such matters as may be delegated by the Council from time to time
11. All aspects of Health and Safety that fall within the remit of the committee
12. Making Recommendations to the Council on all matters not within existing policy
13. Preparation and review of a plan for future requirements within the scope of the committee
14. Consultation with other relevant bodies with similar interests, including other Town Council committees and sub-committees, and consideration of their recommendations

Matters not Delegated to the Committee:

Any matter falling within the remit of the committee which involves the introduction of a new policy or changes to existing policy, future direction and strategy

Nomination form for the Office of Mayor of Bude- Stratton Town Council

ALL NOMINATIONS MUST BE RECEIVED BY 4.00PM ON WEDNESDAY 26TH APRIL 2023

Candidate's Details	
Surname:	
Forenames:	

	Print name	Signature
Proposer		
Seconder		
Candidate		

Date:

Nominations may be posted to the Town Clerk at the Parkhouse Centre or sent by email to kcornwell@bude-stratton.gov.uk

Office use only:

Received by:

Date:

Time:

Nomination checked & circulated:

PTO

Candidate's Statement

Nomination form for the Office of Deputy Mayor of Bude- Stratton Town Council

ALL NOMINATIONS MUST BE RECEIVED BY 4.00PM ON WEDNESDAY 26TH APRIL 2023

Candidate's Details	
Surname:	
Forenames:	

	Print name	Signature
Proposer		
Seconder		
Candidate		

Date:

Nominations may be posted to the Town Clerk at the Parkhouse Centre or sent by email to kcornwell@bude-stratton.gov.uk

Office use only:

Received by:

Date:

Time:

Nomination checked & circulated:

PTO

Proposal for categorising leases and licences

BSTC Property List

Property	Suggested category
Neetside parking spaces	Repeating
Shalder Hill - Met Office Weather Station	Repeating
Shalder Hill - Ambulance Weather Station	Repeating
Ergue-Gaberic Way land (currently Bude Artisan Market)	Commercial
Pitch and Putt Pavilion	Community
Bude Croquet Club	Sports and recreation
Bude Croquet Club parking	Sports and recreation
Bude Croquet Club Lawns	Sports and recreation
Lock Gates Tea Room	Commercial
Wharf Kiosk	Commercial
The Wharf Unit 1	Commercial
The Wharf Unit 2	Commercial
The Wharf Unit 3	Commercial
North Cornwall Cricket Club	Sports and recreation
Land at Stamford Hill and Tree Fields (Grass keep)	Specialist
Land beside Pitch and Putt (currently Bouncy Castles)	Specialist
Crooklets Beach Office	Community
Neetside land and gardens (currently Bude FOE)	Community

Lease and licence categories

Category	Initial contract type	Initial maximum length	First contract review	Second contract review	Price expectation
Repeating	Negotiated	As agreed	N/A	N/A	On-going arrangement due to circumstances of the letting.
Specialist	Expression of interest	2 yrs	First refusal	EOI	Price needs to be sufficient to cover set up costs, routine, corrective and emergency maintenance costs.
Community	Expression of interest	5 yrs	EOI	EOI	Nominal rental price. All maintenance costs covered by BSTC
Sports and recreation	Expression of interest	10 yrs	EOI	EOI	Price needs to be sufficient to cover routine maintenance costs. Set up, corrective and emergency costs covered by BSTC
Commercial	Tender	5 yrs	First refusal	Tender	Depending on whether factors other than price are factored into the tender, this may be lower than standard commercial. Covers set up costs, routine, corrective and emergency maintenance costs but with an expectation that the price will also contribute to the income of the council.

Contract types

Type	Explanation
Expression of interest	A document produced by the bidder which indicates the price they wish to pay for the lease/licence on the property. The EOI is not binding on either party until a contract has been signed, and the price may be subject to negotiation

Tender	Formal and structured invitation to submit a bid to lease the property, with clear processes in place to ensure fair and transparent selection. The tender will be evaluated using a range of criteria as described in the current BSTC Procurement Policy. These include price but also could include value to the local economy, environmental factors and also ensuring that businesses in close proximity are not in direct competition with each other.
First refusal	At the end of the contract period the current contractor is offered the chance to extend the contract for another period before the opportunity goes out more widely.

Contract length

The contract length referred to is the maximum that will be offered by BSTC. The bidder can offer a shorter cont

DISPENSATION REQUEST FORM

Please give full details of the following in support of your application for a dispensation. If you need any help completing this form please contact the parish clerk.

Your name	
The business for which you require a dispensation (refer to agenda item number if appropriate)	
Details of your interest in that business	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to participate, or participate further, in any discussion of that business by that body	Yes / No
Dispensation requested to participate in any vote, or further vote, taken on that business by that body	Yes / No
REASON(S) FOR DISPENSATION 33 a) without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	
33b) without the dispensation the representation of different political groups would be affected so as to alter the likely outcome of any vote	
33c) the dispensation is in the interests of persons living in the authority's area	
33e) that it is otherwise appropriate to grant a dispensation Reason :	

Signed: _____ Dated: _____

DECISION :	
Dispensation Given : YES / NO	LENGTH OF DISPENSATION :
Date:	Minute Number:
.....	

Any queries regarding any of the payments below please contact the BSTC office prior to the meeting - email accounts@bude-stratton.gov.uk						
SCHEDULE OF PAYMENTS ALREADY MADE BETWEEN 21ST APRIL 2023 AND 4TH MAY 2023			Invoice	VAT	Total	Total per supplier
VO0094	Staff, HMRC, Cornwall Pension Fund	April 2023 - Salaries, Tax, NI and Pension	86,301.41	0.00	86,301.41	86,301.41
VO0095	Youings Wholesale - DD	Café Supplies	121.32	24.26	145.58	145.58
VO0096	Pentland Plants	Overpayment in year	-180.32	-36.08	-216.40	-216.40
VO0097	MPLC	Licence to Show Bedknobs and Broomsticks in Warm Room 20/02/23	75.00	15.00	90.00	90.00
VO0098	Nisbets	Cutlery for Parkhouse Centre Hall	141.90	28.38	170.28	
VO0099	Nisbets	Under Counter Freezer for Café	479.99	95.99	575.98	746.26
VO0100	DVLA - DD	Vehicle Tax - FV60 KNA	320.00	0.00	320.00	320.00
VO0101	Pozitive Energy - DD	Hele Bridge - Electricity - March 2023	16.14	0.81	16.95	
VO0102	Pozitive Energy - DD	Bude Light - Electricity - March 2023	20.00	1.00	21.00	
VO0103	Pozitive Energy - DD	The Triangle - Electricity - March 2023	35.29	1.76	37.05	
VO0104	Pozitive Energy - DD	Rattenbury Gardens - Electricity - March 2023	16.14	0.81	16.95	
VO0105	Pozitive Energy - DD	The Castle - Electricity - March 2023	1,673.50	334.70	2,008.20	
VO0106	Pozitive Energy - DD	Pitch & Putt - Electricity - March 2023 (To be recharged)	142.41	7.12	149.53	2,249.68
VO0107	Rentokil - DD	Service Contract 05/05/23 - 04/08/23	363.91	72.78	436.69	436.69
VO0108	Smartest Energy - DD	Library - Gas - March 2023	1,198.01	239.60	1,437.61	1,437.61
VO0109	South West Water - DD	The Unit - Water	162.06	0.00	162.06	162.06
VO0110	Unity Trust Bank - DD	BACS Charges	37.79	0.00	37.79	37.79
VO0111	Youings Wholesale - DD	Café Supplies - Credit Note	-56.79	0.00	-56.79	
VO0112	Youings Wholesale - DD	Café Supplies - Credit Note	-41.96	0.00	-41.96	
VO0113	Youings Wholesale - DD	Café Supplies	315.28	0.84	316.12	217.37
VO0114	Alpha Flags	Union Flag	141.50	0.00	141.50	141.50
VO0115	Cash Cheque	Office Petty (Chq 300509)	76.69	0.00	76.69	76.69
VO0116	Dunn & Baker Solicitors	Purchase of 1, Lords Court, Stratton.	254,688.55	0.00	254,688.55	254,688.55
VO0117	Hazel Electronics Ltd	50p Coin Slots for Showers	177.02	35.40	212.42	212.42
VO0118	NHBS	Wildlife Books	40.91	0.00	40.91	40.91
VO0119	Richard Spencer	Broken Window repair for strimming damage	115.00	0.00	115.00	115.00
VO0120	FSC Publications - Pre-paid Card	Describing Flowers Book	6.00	0.00	6.00	
VO0121	Mailchimp - Pre-paid Card	Mailchimp	21.48	4.30	25.78	31.78
			346,408.23	826.67	347,234.90	347,234.90
SCHEDULE OF PAYMENTS TO BE MADE ON THE 5TH MAY 2023						
VO0122	Alpha Flags	Union Flag - Credit Note	-277.87	0.00	-277.87	-277.87
VO0123	Amazon Payments UK Ltd	Wheelchair Ramp for Castle (Cheapest)	83.32	16.67	99.99	
VO0124	Amazon Payments UK Ltd	ID Badge Holders for LIT Fest (Not available locally)	51.23	10.25	61.48	
VO0125	Amazon Payments UK Ltd	Gate Closer for Bencoolen Play Park (Cheapest)	124.17	24.83	149.00	
VO0126	Amazon Payments UK Ltd	Stationary for Parkhouse Centre (Cheapest)	8.97	1.79	10.76	
VO0127	Amazon Payments UK Ltd	Batteries for Heritage Centre (Cheapest)	9.99	2.00	11.99	
VO0128	Amazon Payments UK Ltd	Batteries for Heritage Centre (Cheapest)	8.72	1.75	10.47	
VO0129	Amazon Payments UK Ltd	Office Supplies (Not available locally)	17.48	3.50	20.98	364.67
VO0130	Ann Veale	Refund of Food & Activities programme (2 Children @ £15)	30.00	0.00	30.00	30.00
VO0131	Bradfords	Brush Cleaner	11.20	2.24	13.44	13.44
VO0132	Chadd's of Bude Ltd	Café Supplies	107.64	0.00	107.64	
VO0133	Chadd's of Bude Ltd	Café Supplies	39.86	6.04	45.90	
VO0134	Chadd's of Bude Ltd	Café Supplies	93.46	3.20	96.66	
VO0135	Chadd's of Bude Ltd	Café Supplies	158.63	6.33	164.96	
VO0136	Chadd's of Bude Ltd	Café Supplies	87.29	3.20	90.49	
VO0137	Chadd's of Bude Ltd	Café Supplies	55.88	0.00	55.88	
VO0138	Chadd's of Bude Ltd	Café Supplies	133.38	9.09	142.47	704.00
VO0139	Devondale	Sensor	46.41	9.28	55.69	55.69
VO0140	Dulux Decorator Centre	Paint for Parkhouse Centre	34.65	6.93	41.58	41.58
VO0141	Helen Wheeler	Refund of Food & Activities programme (1 Child 4 @ £15)	60.00	0.00	60.00	60.00
VO0142	Lansdown Bakery	Café Supplies	293.06	0.00	293.06	293.06
VO0143	LITE Ltd	Christmas Trees	9,982.60	1,996.52	11,979.12	11,979.12
VO0144	LJD Coaching	Food & Activities Programme - Easter 2023	4,458.00	0.00	4,458.00	4,458.00
VO0145	Marisa's Cakes & Bakes	Café Supplies	13.75	0.00	13.75	13.75
VO0146	M & E Alarms (Barnstaple) Ltd	Replacement detector in Chair Store	44.50	8.90	53.40	
VO0147	M & E Alarms (Barnstaple) Ltd	Replacement batteries	24.50	4.90	29.40	82.80
VO0148	Modes Users Association	Modes Complete Support & Membership Fee 01/04/23 - 31/03/24	160.00	32.00	192.00	192.00
VO0149	Nicholsons SW	Cleaning Supplies - The Parkhouse Centre	120.82	24.16	144.98	144.98
VO0150	NM Technical Services	Dishwasher Circuit repair	65.00	13.00	78.00	78.00
VO0151	Plumbase	Polypipe	4.70	0.94	5.64	
VO0152	Plumbase	Plumbing Supplies	9.83	1.97	11.80	17.44
VO0153	Polmorla Cornish Pasties Ltd	Café Supplies	7.96	0.00	7.96	

VO0154	Polmorla Cornish Pasties Ltd	Café Supplies	13.33	0.00	13.33	
VO0155	Polmorla Cornish Pasties Ltd	Café Supplies	35.82	0.00	35.82	
VO0156	Polmorla Cornish Pasties Ltd	Café Supplies	9.95	0.00	9.95	67.06
VO0157	Richard Gowan Consulting Limited	Post Contract Engagement for Compass Point project	867.50	173.50	1,041.00	1,041.00
VO0158	Savona Foodservice	Café Supplies	189.34	0.00	189.34	189.34
VO0159	Screwfix	PTFE Tape	3.83	0.77	4.60	
VO0160	Screwfix	Staff Workwear PPE	66.71	6.75	73.46	78.06
VO0161	South West Water	Library Water	24.67	0.00	24.67	24.67
VO0162	Spinach for Norman	Band for Coronation Event	695.00	0.00	695.00	695.00
VO0163	St Justin	Shop Stock	222.00	44.40	266.40	266.40
VO0164	Studio Arc	Architectural Services - Compass Point	550.00	110.00	660.00	660.00
VO0165	Sylvia Morrell	Home Library Volunteer Travel Expenses	19.17	0.00	19.17	19.17
VO0166	Talbot Fashions	Shop Stock	178.10	35.62	213.72	213.72
VO0167	West Creative	Library Website design and build	480.00	0.00	480.00	480.00
			19,424.55	2,560.53	21,985.08	21,985.08
Grand Total			365,832.78	3,387.20	369,219.98	369,219.98
					BACS Due	22,016.86