
**Minutes of the Seaton Town Council ('the Council')
Meeting
on Monday, 4 April 2022**

Present:

Chair: Cllr D. Ledger

Town

Councillors: K. Beer, E. Bowman, D. Haggerty, M. Hartnell, J. Russell, M. Steven, D. Wright & C. Wood

Officers: Town Clerk

Public: One member of the public was present – East Devon District Councillor Jack Rowland.

195. Apologies for absence

Apologies for absence were received from Cllrs. Burrows, Macaskill and Singh.

196. Declarations of Interest

Cllr Hartnell declared a personal interest as a Devon County and East Devon District Councillor and Cllr Ledger declared a personal interest as an East Devon District Councillor and as the owner of a property close to the allotments.

197. Minutes

Members **RESOLVED** to agree the minutes of the Council meeting held on Monday, 7 March 2022 (moved Cllr Wright, seconded Cllr Hartnell)

198. Chairman's Report

The Chairman confirmed that he would not be standing for re-election at the Annual General Meeting.

199. Public Question Time

A question was raised by Cllr. Rowland as to whether this was an appropriate juncture to be considering WC provision on the seafront, considering that:

- EDDC were awaiting the report of their retained consultants on any possible levelling up bid and, depending on the outcome of that, it may be that match funding might be sought from bodies such as the Town Council which is something the Council may wish to consider in due course

- The position regarding Thury Harcourt and Marsh Road public conveniences was still uncertain and, in due course, the Town Council may wish to consider taking these over

200. Police Report

No police report was available.

201. County Councillor's Report

Cllr Hartnell presented and invited any questions on his written report. Members noted the report.

202. District Councillors' Reports

Cllr Rowland presented a written report and he and the other district councillors (Cllrs Hartnell & Ledger) verbally added the following:

- Moridunum - district councillors had met with officers a few days earlier and there were issues with regard to encroachment on the Moridunum by the adjacent developer without the appropriate licences being in place and concerns about the safety of the structure as a result. Remedial work was likely to be needed. The heads of terms regarding the Moridunum were yet to be agreed.
- Electric vehicle charging points – this work had been delayed as components were still awaited. A schedule of works had been requested by Cllr Rowland so that the town could be updated on when works would be happening in Seaton
- Confirmed that, as regards levelling up, Devon had been elevated from tier 3 to tier 2
- as regards the River Axe report, this did not directly affect Seaton but the towns and parishes to the north such as Axminster and Kilminster. However, this may put pressure on Seaton to deliver more housing.

Members noted the report.

203. Town Clerk's Report

Members noted the summary and work log.

204. Committee meeting minutes

Members received and noted the minutes of the following committee meetings:

- Planning Committee – 21 February and 7 March 2022
(moved Cllr Hartnell, seconded Cllr Wright)

205. Volunteer Policy

Members **RESOLVED** to approve the Volunteer Policy and associated documentation (moved Cllr Haggerty, seconded Cllr Wright)

206. Seaton Allotments

Members **RESOLVED** to:

- approve the proposed changes to the Non-Statutory Allotment Rules including the amendments circulated
- note the financial position and ear marked reserve

(moved Cllr Wood, seconded Cllr Ledger)

207. Insurance Renewal

Members **RESOLVED** to:

- note the revised premium for insurance cover for 2022/23
- delegate authority to the Town Clerk to renew the motor insurance cover for 2022/23 with the provider that represents best value and at a cost not exceeding of £658.00, inclusive of insurance premium tax

(proposed Cllr. Wright; seconded Cllr. Haggerty)

208. Direct Debits & Regular Payments

Members reviewed and **RESOLVED** to approve the schedule of regular direct debits and payments, in accordance with the Council's Financial Regulation 5 (proposed Cllr. Haggerty; seconded Cllr. Wright)

209. Seaton Beach School Lottery Application

To note and ratify the decision to submit an application for National Lottery funding towards the delivery of Seaton's Summer Beach School (proposed Cllr. Wood; seconded Cllr. Haggerty)

210. Review of Asset Register

Members reviewed the updated asset register and **RESOLVED** to:

- approve the asset register as at 31 March 2022 with a value of £353,436.89, after deletion of the water refill station which had been given to East Devon District Council as they had agreed to assume responsibility for maintenance and insurance purposes as it was on their land
 - approve the disposal of the items listed
- (proposed Cllr. Haggerty; seconded Cllr. Wright)

211. Art Trail

Members **RESOLVED** to delay any art work on the wall at Marshlands for the time being and proceed with the original plan to install said works to the exterior walls of the West Walk Public Toilets

(proposed Cllr. Steven; seconded Cllr. Wright)

212. Update on First Aid Station

Members noted the report on the successful outcome of the first aid station in 2021 and update and costs (£4,960) of delivering the service in Summer 2022 and **RESOLVED** that it should proceed as proposed.

(proposed Cllr. Haggerty; seconded Cllr. Wright)

213. Provision of WC/Shelter

In light of the current uncertainty over the future of existing public conveniences in the town, Members rejected the proposal to consider the feasibility of installing a new WC/shelter towards the eastern end of the seafront at the current time and, after extensive debate, **RESOLVED** to instruct officers to engage with EDDC and research and prepare a report into the possible acquisition, maintenance and ongoing cleaning costs of the existing public conveniences at Marsh Road and Thury Harcourt and whether, if the Town Council took either of these blocks on, there would be a possibility of them being repaired and updated by EDDC as part of their capital repairs programme before such a transfer.

(proposed Cllr. Hartnell; seconded Cllr. Haggerty)

214. Review of Town Plan

Members noted the progress of the Town Plan to date and went through the proposals for priorities for the municipal year 2022/23 and agreed some amendments as regards specific targets and dates and to include a further objective regarding the preparation of a community engagement plan.

Members **RESOLVED** to:

- note progress to date
- approve the updated plan, including amendments to some targets and time frames
- to add a community engagement plan
- to add the research project regarding the town's public conveniences as detailed at minute 213 above

(proposed Cllr. Hartnell; seconded Cllr. Haggerty)

Meeting closed at 7.42pm

Signed _____

Dated _____



Marshlands Centre, Harbour Road,
Seaton, Devon EX12 2LT
01297 21388
admin@seaton.gov.uk
www.seaton.gov.uk
Town Mayor: Cllr Dan Ledger
Town Clerk: Julia Mutlow

Minutes of the Planning Committee Meeting on Monday 21 March 2022

Present:

- Chairman:** Cllr M Hartnell
- Councillors:** P Burrows, D Ledger & D Wright
- Officers:** Planning Committee Clerk
- Public:** No members of the public were present

176. Apologies for absence

Apologies for absence were received and accepted from Cllr Beer.
Cllr Macaskill and Cllr Russell were absent.

177. Declarations of Interest

Cllr Hartnell declared a personal interest as a Councillor with Devon County Council (DCC) and East Devon District Council (EDDC).

178. Minutes of the Planning Committee meeting held on Monday 7th March 2022

The Committee **RESOLVED** to agree the minutes of the meeting held on 7th March 2022.

(moved Cllr Burrows; seconded Cllr Wright)

179. District Council Members

It was formally noted that the participation of those Councillors, who are also members of the East Devon District Council, in both the debate and the subsequent vote is on the basis that the views expressed are preliminary views taking account of the information presently made available to the Town Council. The District Councillors reserve their final views on the application until they are in full possession of all the relevant arguments for and against.

180. Environment Policy

Members are reminded that in reaching decisions they should take into consideration the Town Council's Environment Policy that the Planning Committee will consider sustainability, environmental impact and biodiversity when commenting on planning applications in Seaton.

181. Public Question Time

No questions from members of the public.

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Applications for consideration:

182. 22/0468/FUL

B Gallery

**8 Meadow Road, Seaton,
EX12 2AS**

Erection of single storey rear extension. Construction of rear dormer extension including balcony. Removal of front porch enclosure and provision of replacement porch roof.

Discussion took place around:

- The potential for overlooking into neighbouring properties and gardens from the proposed glass balcony.
- If the side elevation glass panels of the balcony were obscured glazed, extended upwards and set at an angle there would be no objection to the application.

The Committee **RESOLVED** to propose no objection to the application subject to the following condition being applied to the granting of planning permission:

- The side elevations of the proposed balcony shall be glazed with obscure glass and shall be installed before the first use of the balcony and thereafter permanently maintained and retained for that purpose unless otherwise agreed in writing by the Local Planning Authority.

(moved Cllr Wright; seconded Cllr Hartnell)

183. 22/0490/TRE

Fox

**The Mount, 199 Beer Road,
Seaton, EX12 2QB**

T1 - Lime. Remove all epicormic growth on main stem up to a height of 5m, crown lift remaining to 6m above ground level. Maximum diameter of cuts 75mm T2 - Monterey Cypress. Remove major hazardous deadwood Reason for works: T1 is a repeat operation that was originally done in 2014, pruning is considered appropriate arboricultural management. T2 is exempt but thought it prudent to include in the application.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Hartnell; seconded Cllr Wright)

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184. 22/0561/TRE

Mrs Hardwick

**18 Townsend Road, Seaton
EX12 2BD**

T1, Oak : DBH 25 inches, located in rear garden left hand rear boundary corner, raise crown to 6m, reduce height and width of tree by up to 1.5m, maximum pruning cuts of up to 120mm. The tree was last reportedly pruned in 2003 and not to good arboricultural practice at that time, since then it has become very dense, due to the poor pruning and is blocking light getting to the property. The tree has become too large for the area that it is in, there are also concerns over the lower lateral branches end loads, along with wanting to reduce the sail effect, after branches were lost during the recent storms.

The Committee **RESOLVED** to propose no objection to the application.
(moved Cllr Hartnell; seconded Cllr Wright)

185. Planning Comments

Comments to be circulated in respect of application 22/0468/FUL.

186. Decisions

To note planning decisions made by East Devon District Council:

- a) **22/0072/FUL - 29 Eyewell Green, Seaton** Amendments to application 21/0678/FUL to include the addition of a light tunnel over the stairwell and alterations to the fenestration – **APPROVED** – standard time limit.
- b) **22/0065/FUL - 29 Eyewell Green, Seaton** Amendments to application 21/0678/FUL to include for new raised terrace to the rear of the property and a Juliet balcony to the rear elevation – **APPROVED** – with conditions.

The meeting closed at 6.01pm.





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Town Mayor: Cllr Dan Ledger
Town Clerk: Julia Mutlow

Signed K. Beer

Dated 11.4.2022



Seaton Town Council Constitution

Committee Terms of Reference **2022/23**

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

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Finance & General Purposes Committee – Terms of Reference

Purpose of the Committee

To oversee the Council's financial affairs and ensure the finances of the Council are managed prudently in line with the Council's Financial Regulations (May 2022) and any relevant legislation. To ensure good governance and all times and to report to Council as considered necessary.

Membership

1. Eight members of the Council (including the Chairman and Deputy Chairman - ex-officio). The quorum shall be 3.
2. Membership of the committee shall be re-appointed at the Annual Meeting of the Council in May each year.
3. Meetings to be held at least quarterly.
4. The committee shall be supported by the Town Clerk, or such other officer as designated by the Town Clerk.
5. The committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion.

Delegated Powers

This Committee is authorised to:

1. receive and approve/ratify details of all payments authorised in the course of the business of the Town Council, including those purchased with the Council's debit card.
2. monitor income and expenditure against approved budgets.
3. consider any matter which does not fall within the remit of any other committee. Where there is a specific budget for such a matter, the Finance & General Purposes Committee shall have delegated power to authorise expenditure. Where there is no specific budget, the committee shall make recommendations to Council.
4. authorise the transfer of unspent and available amounts to other budget headings or to an earmarked reserve as appropriate, during any financial year.
5. receive any proposals from committees, in respect of expenditure for the following financial year, as part of the Council's budget setting process.

6. produce detailed estimates of all income and expenditure, including the use of reserves and all sources of funding for each financial year in the form of a budget and present it to Council, if practicable no later than its December meeting, for Council to approve budget and set precept for the next financial year.
7. review cheque signatories annually at the first meeting of each new financial year.
8. review the Council's banking arrangements, including the bank mandate, annually at the first meeting of each new financial year, or as soon thereafter as practicable.
9. undertake periodic checks on petty cash expenditure and to approve petty cash expenditure at each meeting.
10. receive details of bank statements and confirm reconciliation at each meeting.
11. take decisions on action required and expenditure in respect of all the Council's assets, including its buildings and land (including those leased to others such as the Town Hall, Martial Arts Centre and Scout Hut). Such decisions to include:
 - negotiating and reviewing leases to ensure their continuing fitness for purpose and to ensure compliance by tenants with the terms and conditions of the lease.
 - keeping under review the best use of Marshlands and how income may be generated, whilst mindful of the restrictions thereon.
 - ensuring buildings and land are maintained and fit for purpose and comply with all health and safety requirements and other safety checks, such as fire safety, electrical inspections and legionella checks.
 - agreeing an annual expenditure plan to cover the maintenance of all buildings and land for recommendation to the Council as part of the annual budget setting process
 - incur expenditure within the approved budgets for the Town Hall and Marshlands and authorise transfer from ear marked reserves as necessary
12. prepare recommendations for Council for any critical expense required that has not been budgeted.

Personnel Committee – Terms of Reference

Purpose of the Committee

- To make decisions about staffing matters, as delegated by Council.

Membership

1. Five members of the Council (including the Chairman or Deputy Chairman of the Council). The quorum is 3. If the Chairman of the Council is on the Personnel Committee, then the Deputy Chairman of the Council is not to be a member of the Personnel Committee as they will chair the Appeals Committee, or vice versa.
2. Membership of the Committee to be re-appointed at the Annual Council Meeting in May each year.
3. Councillors that are on the Personnel Committee cannot be on the Appeals Panel and vice versa
4. Meetings to be convened on an 'as and when' basis.
5. Only members of the Committee may attend meeting for items discussed in Part B of the meeting
6. The Town Clerk will support the Committee.
7. The Committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion.

Delegated Powers

1. To decide upon the arrangements for the appointment and appraisal of staff, including reviewing and updating contracts.
2. To approve, where necessary, the contract of employment and job description for any staff role prior to any new appointment, and at least one every five years for existing staff.
3. To assist the Town Clerk, as required, in the recruitment process for any new appointment, including approval of job description, shortlisting criteria and interview. Normally all correspondence with candidates and referees should be by the Town Clerk, but in the Clerk's absence, this should be by a member of the committee who has been appointed to that role by Council.
4. To recommend to full Council, after interview and due consideration, suitable candidates for appointment. Decision on appointment is made by full Council.
5. To carry out the annual appraisal of the Town Clerk, and report to the next full meeting.

6. To consider remuneration levels for staff, including any changes to pay grades, if required. To make recommendations to full Council for approval where there are financial implications over and above approved budgets. Note – any nationally agreed annual increase as announced by SLCC/NALC will be automatically awarded to staff in line with the Council's contractual obligations.
7. To deal with any matters that are raised under Seaton Town Council's own specific policies and any applicable national legislation such as grievance, health and safety as it applies to staff, any Code of Conduct matters that apply to staff, any staffing disputes, or other staffing related issues.

Planning Committee – Terms of Reference

Purpose of the Committee

1. To consider and make responses to any planning applications from East Devon District Council as the local planning authority.
2. To consider any applications where Seaton Town Council is the applicant and to make recommendations to Council for approval prior to the submission of the application. This will also apply to any changes to the application or requests for further information.
3. To act as a consultee on any planning policy matters raised by East Devon District Council

Membership

1. Seven members of the Council (including the Chairman and Deputy Chairman - ex-officio). The quorum shall be 3.
2. Membership of the committee shall be re-appointed at the Annual Meeting of the Council in May each year
3. Meetings to be held as frequently as required but at least once a month.
4. The committee shall be supported by the Town Clerk, or such other officer as designated by the Town Clerk.
5. The committee is empowered to invite specialist professional officers or advisors to attend meetings to provide guidance as to matters under discussion

Delegated Powers

1. Determination of responses to all planning applications

2. Determination of responses in respect of all applications relating to the preservation, felling or other works with respect to trees and tree preservation orders.
3. Determination of responses to any appeal against a planning decision by East Devon District Council including the preparation of submissions to be made to the Planning Inspectorate as appropriate
4. To note any planning decisions made by East Devon District Council
5. To receive a report from the Chairman of any urgent planning items or amendments to planning applications received after formulation of the agenda.
6. Responding to any consultation on planning policy.
7. Responding to and taking part in any discussion with regard to the Local Plan from East Devon District Council. However, where the matter relates to the area outside East Devon e.g. the Greater Exeter Partnership this will be considered by Council
8. To oversee the development and updating of Seaton's Neighbourhood Plan

Associated delegation to Town Clerk

9. Furthermore, the Town Clerk, after consultation with members of the Planning Committee, is delegated to submit comments for planning applications to East Devon District Council on any applications received where the deadline for a response is before said application may be considered by said Committee.

Reviewed – May 2022



Seaton Town Council Constitution

Chapter 2 Standing Orders

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

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1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f 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.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n 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 on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:

- i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting 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.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a

response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

- i A person shall raise his hand when requesting to speak.
 - j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
 - k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
 - l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
 - m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
 - n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
 - o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the chairman of the Council may in his absence be done by, to or before the vice-chairman of the Council (if there is one).**
 - p **The chairman of the Council, if present, shall preside at a meeting. If the chairman is absent from a meeting, the vice-chairman of the Council (if there is one) if present, shall preside. If both the chairman and the Vice-chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
 - q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
 - r **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- See standing orders 5(h) and (i) for the different rules that apply in the election of the chairman of the Council at the annual meeting of the Council.*
- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any**

question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

- t The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- u **A councillor or a non-councillor with voting rights who has a**
● **disclosable pecuniary interest or another interest as set out in the**
● **Council's Code of Conduct in a matter being considered at a meeting is**
subject to statutory limitations or restrictions under the code on his
right to participate and vote on that matter.
- v **No business may be transacted at a meeting unless at least one-third of**
the whole number of members of the Council are present and in no case
shall the quorum of a meeting be less than three.
- See standing order 4d(vi) for the quorum of a committee or sub-committee meeting.*
- w **If a meeting is or becomes inquorate no business shall be transacted**
● and the meeting shall be closed. The business on the agenda for the meeting
● shall be adjourned to another meeting.
- x A meeting shall not exceed a period of 3 hours.

4. COMMITTEES, SUB-COMMITTEES & WORKING GROUPS

- a **Unless the Council determines otherwise, a committee may appoint a**
sub-committee whose terms of reference and members shall be
determined by the committee.
- b **The members of a committee may include non-councillors unless it is a**

committee which regulates and controls the finances of the Council.

- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint any committees, as it considers necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. shall, after it has appointed the members of a committee, appoint the chairman of the committee or shall permit a committee, to appoint its own chairman at the first meeting of the committee;
 - vi. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - vii. shall determine if the public may participate at a meeting of a committee;
 - viii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - x. may dissolve a committee or a sub-committee.
- e. The Council may appoint working groups as it considers necessary. Such working groups have no decision making powers but are intended to facilitate the Council's business and bring such reports and/or recommendations to Council for consideration, as the working group considers appropriate.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take**

place at 6pm.

- d **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 decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the chairman and vice-chairman (if there is one) of the Council.**
- f **The chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The vice-chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor chairman of the Council has been elected. The current chairman of the Council shall not have an original vote in respect of the election of the new chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the chairman of the Council and vice-chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the chairman 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 chairman of the Council of his 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 4;
- 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. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xiii. Review of the Council's policies, procedures and practices including those in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xiv. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

7. PREVIOUS RESOLUTIONS

A resolution of the Council shall not be rescinded, reversed or amended within six months of it being made unless:

- by way of a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9; or
- by way of a motion moved in pursuance of the recommendation of a committee or a sub-committee; or
- by way of a motion moved in pursuance of subsequent information becoming

available that, in the reasonable view of the Proper Officer, is relevant to the business to which the resolution relates and should be brought to the attention of the Council

8. VOTING ON APPOINTMENTS

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 of those present 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 chairman of the meeting.

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled 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.
- b 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.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 8 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the

Proper Officer:

- i. to correct an inaccuracy in the draft minutes of a meeting;
- ii. to move to a vote;
- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

- a **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.**
- b **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).**

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

12. DRAFT MINUTES

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 9(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d Subject to the publication of draft minutes in accordance with standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:

- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the chairman of Council of this fact, and the chairman 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 14(d).
- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such**

action excludes disqualification or suspension from office.

15. PROPER OFFICER

- a The Proper Officer shall be either (i) the Town Clerk or, in his/her absence, (ii) the Deputy Clerk, in accordance with the Council's Schem of Delegations.
- b The Proper Officer shall:
 - i. **at least three clear days before a meeting of the council, a committee or a sub-committee:**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - ii. subject to the provisions of standing order 9, include on the agenda any motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal thereof;
 - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. hold acceptance of office forms from councillors;
 - vii. hold a copy of every councillor's register of interests;
 - viii. 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;
 - ix. act as the Council's Data Protection Officer;
 - x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xi. 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);

- xii. arrange for legal deeds to be executed;
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the chairman or in his absence vice-chairman (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee;
- xvi. keep these standing orders under review and amend as necessary to ensure their ongoing fitness for purpose and compliance with emerging legislation; and
- xvii. manage access to information about the Council via the publication scheme.

16. 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.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.
- c The Responsible Financial Officer shall supply to each councillor on request a statement to summarise:
 - i. the Council's or income and expenditure for each quarter;
 - ii. the Council's aggregate income and expenditure for the year to date;
 - iii. 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.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. a statement summarising the Council's income and expenditure for the preceding year; and

- ii. to the Council the accounting statements for the preceding year in the form the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council for the year to 31 March. A completed draft annual governance and accountability return shall be presented for approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.
- b. Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. 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:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. 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;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting

of the Council or a committee or sub-committee with delegated responsibility.

- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of Council or relevant committee is subject to standing order 11.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of Council or, if he is not available, the vice-chairman of the Council of absence occasioned by illness or other reason and that person shall report such absence to the Council or relevant committee at its next meeting.
- c. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of Council or, in his absence, the vice-chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- d. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the chairman or vice-chairman of the Council and this shall be communicated to another member of Council which shall be reported back and progressed by resolution of Council.

- e Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- f In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(e).

20. RESPONSIBILITIES TO PROVIDE INFORMATION

- a **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.**
- b **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **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.**
- e **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.**
- f **The Council shall maintain a written record of its processing activities.**

22. RELATIONS WITH THE PRESS/MEDIA

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 as appropriate on each occasions and, where relevant the Council's policy on social media and electronic communications shall apply.

23. EXECUTION AND SEALING OF LEGAL DEEDS

- a **A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.**
- b **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

24. COMMUNICATING WITH DISTRICT AND COUNTY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Councillor representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the Council.

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless duly authorised 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.

26. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- c The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Reviewed – 3 May 2022



Seaton Town Council Constitution

Chapter 3 Financial Regulations

Marshlands Centre, Harbour Road, Seaton EX12 2LT

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FINANCIAL REGULATIONS (May 2022)

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These Financial Regulations were reviewed and adopted by Seaton Town Council ('the Council') at its meeting held on 3 May 2022.

1. General

1.1. These financial regulations (the Regulations') govern the financial management by the Council and may only be amended or varied by resolution of the Council. These Regulations are one of the Council's two principal governing policy documents, providing procedural guidance for councillors and officers. These Regulations must be observed in conjunction with the Council's standing orders¹ 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 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 practices².

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

1.7. Councillors are expected to adhere to these Regulations and not to make any attempt to persuade officers to breach or circumvent them. Failure to follow the Regulations brings the office of councillor into disrepute.

¹ Seaton Town Council Standing Orders

² In these 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).

1.8. The Responsible Financial Officer ('the RFO') holds a statutory office and is appointed by the Council. The Town Clerk has been appointed as RFO for this Council and these Regulations will apply accordingly.

1.9. The RFO:

- acts under the direction of the Council;
- administers the Council's financial affairs in accordance with all legislation 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 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 prepared 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 or management information, prepared for the Council from time to time, comply with the Accounts and Audit Regulations³.

1.11. The accounting records prepared by the RFO shall contain:

- entries 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 prepared 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;

³ In these Regulations, references to the Accounts and Audit 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.

- 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 single commitment in excess of £5,000; 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.

2. Accounting and audit (internal and external)

2.1. All accounting procedures and financial records of the Council shall be prepared 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 Finance & General Purposes Committee ('F&GPC') shall verify bank reconciliations (for all accounts) produced by the RFO. Two members of F&GPC shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification.

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
- has 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 officer of the Council, except to the extent that such officers have been appropriately authorised 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. The RFO must each year, by no later than October, 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 F&GPC.

3.2. The F&GPC shall consider annual budget proposals including recommendations for the use of reserves and sources of funding and make recommendations to the Council accordingly.

3.3. 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.

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

4. Budgetary control and authority to spend

4.1. 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 £5,000;
- a duly delegated committee of the Council for items between £2,500 and £5,000; or
- the Clerk, in conjunction with two of the Chairman or Deputy Chairman of the Council or Chairman of the Finance & General Purposes Committee, for any items below £2,500.

Such authority is to be evidenced by a minute or by email authorisation from the relevant councillors.

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

4.2. 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 or duly delegated committee 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').

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

4.4. The salary budgets are to be reviewed at least annually for the following financial year as part of the budget process and such review shall be evidenced by a hard copy schedule signed by the Town Clerk and the Chairman of Council or relevant committee. The RFO will

inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of the Council's services, the Town Clerk, in conjunction with two of the Chairman or Deputy Chairman of the Council or Chairman of the F&GPC may authorise revenue expenditure on behalf of the Council which, in the Clerk's 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 £5,000. The Town Clerk shall report such action to the Council as soon as practicable thereafter.

4.6. 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.

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

4.8. The RFO shall regularly provide the F&GPC 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.

4.9. Changes in earmarked reserves shall be approved by F&GPC or Council as part of the budgetary control process.

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.

5.2. The RFO shall prepare a schedule of payments due and payments already made in accordance with paragraph 4.1 above together with the relevant invoices and present the schedule to the F&GPC or Council for approval/ ratification, as appropriate. The F&GPC or Council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution or ratify payments already made as permitted by paragraph 4.1 (bullet point 3). The approved schedule shall be initialled by two of the Chairman, Deputy Chairman or Chair of F&GPC. A detailed list of all payments shall be disclosed within or as an attachment to the meeting reports at which payment was authorised. 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 add them to the appropriate expenditure heading. The RFO shall make the necessary arrangements to pay all invoices submitted, and which are in order, as soon as practicable after they have been approved in accordance with these Regulations.

5.5. The Town Clerk and RFO shall have delegated authority to authorise 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 F&GPC;

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 F&GPC; or

c) fund transfers within the Councils banking arrangements up to the sum of £20,000, provided that a list of such payments shall be submitted to the next appropriate meeting of Council or F&GPC

5.6. For each financial year the Clerk and 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 (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which Council, or a duly authorised committee, may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of Council or F&GPC.

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. In respect of grants, the Council shall approve expenditure within any limits set by Council and in accordance with any policy statement approved by Council. Any revenue or

capital grant in excess of £5,000 shall, before payment, be subject to ratification by resolution of the Council.

5.9. Councillors' are subject to the Code of Conduct ('the Code') 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.

5.10. 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.

5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a member.

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 Regulations 4.1 or 5.2 above, the Council, a duly delegated committee or, if so delegated, the Town Clerk or RFO shall give instruction that a payment shall be made.

6.3. Where possible, payments shall be made via online banking in accordance with the provisions of this Regulation 6.

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to Council or a constituent committee shall be signed by two councillors and countersigned by the Town Clerk, 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 F&GPC 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 considered appropriate by the Council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to Council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the Council at least every two years.

6.9. If considered 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. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Council at least every two years.

6.10. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the Council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.11. No officer 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.

6.12. 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.

6.13. The Council, and any councillors 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.

6.14. Where internet banking arrangements are made with any bank, the Town Clerk/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.

6.15. 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.

6.16. 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 two of the Town Clerk and/or a member. A programme of regular checks of standing data with suppliers will be followed.

6.17. Any debit card issued for use will be specifically restricted to the Town Clerk and RFO and will also be restricted to a single transaction maximum value of £1,000 unless authorised by Council or F&GPC in writing before any order is placed.

6.18. 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 of no more than £200 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept substantiating the payment.

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 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 Council.

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 (confidential cash book). 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 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 Regulations, to ensure that only payments due for the period have actually been paid.

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

7.7. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.

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

8. Loans and investments

8.1. All borrowings shall be affected 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 Council.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (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 Council will arrange with the Council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the Council at the same time as one is issued to the Town Clerk or RFO.

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 Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any such 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 of the Clerk.

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.

9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the Council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any Council meeting (see also Regulation 16 below).

10. Orders for work, goods and services

10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2. Order books shall be controlled by the RFO.

10.3. All councillors 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 securing three or more quotations or estimates from appropriate suppliers, subject to the provisions of Regulation 11.1 below. Where it has not been possible to obtain three quotations, any order will be accompanied by an explanation.

10.4. A councillor may not issue an official order or make any contract on behalf of the Council.

10.5. 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 power being used can be recorded.

11. Contracts

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

a) Every contract shall comply with these 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:

- i. for the supply of gas, electricity, water, sewerage and telephone services;
- ii. for specialist services, for example, those provided by legal or other professional disciplines;

- iii. for works to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery, plant or equipment;
- iv. for works to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
- v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Town Clerk and RFO shall act after consultation with two of the following councillors – the Chairman or Deputy Chairman of the Council or Chair of F&GPC); and
- vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

b) 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 2015 Regulations”) which is valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations⁴.

c) The full requirements of the 2015 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 2015 Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)⁵.

d) When applications are made to waive the Regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.

e) Such invitation to tender shall state the general nature of the intended contract and the Town Clerk 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. 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.

f) All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of at least one councillor.

⁴ 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

⁵ Thresholds currently applicable are:

a) For public supply and public service contracts 209,000 Euros (£181,302)

b) For public works contracts 5,225,000 Euros (£4,551,413)

g) Any invitation to tender issued under this Regulation shall be subject to the Council's standing order 14 and shall refer to the terms of the Bribery Act 2010.

h) When the Council is to enter into a contract:

- of less than £25,000 in value for any supply of works, other than the exceptions set out in Regulation 11.1(a) above, the Town Clerk or RFO shall, where practicable, obtain three quotations (priced descriptions of the proposed supply);
- below £2,500 and above £1,000 the Clerk or RFO shall use best endeavours to obtain 3 quotations. Otherwise, and where it is within approved budgets, the Clerk, in conjunction with two of the Chairman or Deputy Chairman of the Council or Chairman of the F&GPC shall authorise said payment.

i) The Council shall not be obliged to accept the lowest or any tender, quotation, or estimate.

j) Should it occur that the Council, or duly delegated committee, does not accept any tender, quotation or estimate and the works remain unallocated, meaning that the Council is required to seek further quotations, as long as the tender specification does not change, no person shall be permitted to submit a later tender, estimate or quotation who was present when the original decision-making process was being undertaken.

12. Payments under contracts for building or other construction works

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.

12.3. Any variation to a contract or addition to or omission from a contract must be approved by the Council and Town Clerk to the contractor in writing and the Council should be informed where the final cost is likely to exceed the agreed financial provision.

13. Stores and equipment

13.1. The officer responsible for any given element of the Council's work, shall be responsible for the care and custody of stores and equipment used in the course of that work.

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 duly authorised officer, shall be responsible for periodic checks of stores and equipment at least annually.

14. Assets, properties and estates

14.1. The Town Clerk 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 £250.

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 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. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Council. In each case a report in writing shall be provided to Council with a full business case.

14.6. The RFO shall ensure that an appropriate asset register is retained and kept up to date. The continued existence of tangible assets shown in the asset register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. Insurance

15.1. Following the annual risk assessment (Regulation 17), the RFO shall arrange all insurances and negotiate all claims on the Council's insurers.

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

15.3. 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.

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

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 Town 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 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 at least annually.

17.2. When considering any new activity, the Town Clerk shall arrange for the preparation of 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 Council to review these Regulations from time to time. The Town Clerk shall make arrangements to monitor changes in legislation or proper practices

and shall advise the Council of any requirement for a consequential amendment to these 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 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.



Seaton Town Council Constitution

Chapter 8 – Risk Register

NOTE: Due to the ongoing physical, practical and financial risks posed to the Council's staff, premises and community, imposed by the coronavirus pandemic, the Council is cognisant of the fact that it must be ever more vigilant and these risks are reviewed regularly by the Town Clerk as new Government guidance and regulations evolve.

Reviewed – 3 May 2022

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
Governance	Quality of decision making – potentially unlawful	M	<ul style="list-style-type: none"> The Council's constitutional documents, including Standing Orders, Financial Regulations and policies, set how the Council's business will be conducted. These are reviewed annually. Member training Membership of Devon Association of Local Councils and Society of Local Council Clerks 	Town Clerk	L
	Inappropriate delegation	M	<ul style="list-style-type: none"> Council's constitutional documents include a scheme of delegations to committees and the town clerk. This is reviewed regularly. 	Town Clerk	L
	Unclear member responsibility and accountability	M	<ul style="list-style-type: none"> Appropriate committee structure and clear lines of reporting by committees to Council New Member training arranged as soon as practicable after election/co-option. 	Town Clerk	L
	Appointments to outside bodies not made	L	<ul style="list-style-type: none"> Annual review of appointments and reports to committee, as necessary 	Town Clerk	L
	Governance and regulatory documents not reviewed.	M	<ul style="list-style-type: none"> Reviewed and updated and reports to Council for approval, as required 	Town Clerk	L
	Register of Interests for Members up to date	M	<ul style="list-style-type: none"> All Members complete forms as soon as elected/co-opted. Annual Review of Register entries. Last reviewed April 2021. 	Town Clerk	L
Cash	Poor systems and controls	M	<ul style="list-style-type: none"> Reviewed monthly by town clerk and a second officer and a councillor. Ratified by F&GPC Reviewed by Internal Auditor and any risks identified 	Town Clerk	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
	Waste and misappropriation of funds.	M	<ul style="list-style-type: none"> • Appropriate supervision of staff and reporting to Councillors. 	Town Clerk	L
	Budget not approved and precept request not submitted	H	<ul style="list-style-type: none"> • Timely reporting to Members with detailed draft budget for following year initially presented to F&GP in October • meetings in annual schedule and detailed in Financial Regulations. 	Town Clerk	L
	Adequate funds	H	<ul style="list-style-type: none"> • Monitor actual expenditure to forecast and report regularly to F&GPC and Council, as necessary • Particular scrutiny is applied to changes brought about by the pandemic and the need to vire funds between budgets to reflect this 	Town Clerk	L
	Properly authorised payments	M	<ul style="list-style-type: none"> • Authority to pay in line with Financial Regulations • Cheques signed by two councillors • Online payments set up by Town Clerk and dual authorised by a councillor, once approve by two councillors • All payments authorised by two Councillors. • Financial Regulations reviewed May 2021 	Town Clerk	L
	Theft, fraud and corruption	M	<ul style="list-style-type: none"> • Training, management & insurance 	Town Clerk	L
	Activities being outside of legal powers/unlawful payments	H	<ul style="list-style-type: none"> • Town Clerk - CiLCA qualified • Ongoing CPD training of Town Clerk • advice to members 	Town Clerk	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
Direct Costs	Goods not supplied to Council	M	<ul style="list-style-type: none"> • Purchase order system 	Town Clerk and all officers	L
	Invoices incorrectly calculated	M	<ul style="list-style-type: none"> • Detailed check of calculations 	Town Clerk	L
	Online Payments	H	<ul style="list-style-type: none"> • Two councillors authorise payments each week by email (due to covid restrictions) and sign schedule of payments each month which is then ratified by F&GPC • Clerk sets up payments online which are then actioned by a councillor (dual authorisation) • Reviewed by internal auditor twice a year 	Town Clerk	M
	Use of Debit Card	H	<ul style="list-style-type: none"> • Use restricted to the Clerk and limited to a single transaction maximum value of £1,000, unless authorised by the Finance and General Purposes Committee, in writing, before any order is placed 	Town Clerk	M
	Income tax deduction	M	<ul style="list-style-type: none"> • Tax codes as notified by HMRC • payments made by EDDC Payroll services, as the Council's chosen payroll provider since October 2020 	Town Clerk	L
Grants	Authority and power to approve	M	<ul style="list-style-type: none"> • Grant criteria/annual approvals through Council with a limit of £1,000 per grant, unless exceptional circumstances exist 	Town Clerk	L
	Conditions of grant	L	<ul style="list-style-type: none"> • Grants include conditions, as Members consider appropriate, and report back to Council 	Town Clerk	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
VAT	VAT analysis	M	<ul style="list-style-type: none"> All items recorded in financial accounting software reports as part of cash book lists. Checks conducted by internal auditor 	Town Clerk	L
	Claimed within time limits	M	<ul style="list-style-type: none"> Quarterly returns digitally submitted as soon as possible 	Town Clerk	L
Reserves	Adequacy of earmarked and general reserves.	M	<ul style="list-style-type: none"> Agreed annually by Council as part of budget setting process Approximately 6 months general reserves held in line with JPAG advice EMRs kept under review by F&GPC and Council and quarterly reports prepared highlighting over and underspends and proposing any adjustments the Town Clerk considers necessary 	Town Clerk	M
Assets	Loss, damage and value	M	<ul style="list-style-type: none"> Annual inspection, update insurance/review asset register 	Town Clerk/Deputy Clerk	M
Salaries	Wrongly paid salary	M	<ul style="list-style-type: none"> Agreed contracts and annual review of salaries and payment systems 	Town Clerk	L
	Wrong tax, NI or pension deducted	M	<ul style="list-style-type: none"> Agreed contracts and annual review of salaries and payment systems 	Town Clerk	L
Members	Members' Interests	M	<ul style="list-style-type: none"> Training on Code of Conduct including refresher training. 	Town Clerk	M
Staff	Accidents/Personal injury	M	<ul style="list-style-type: none"> Visual checks of premises Health and safety checks 	Deputy Clerk	M
	Bullying	M	<ul style="list-style-type: none"> Staff Handbook and grievance procedures 	Town Clerk	L
	Lack of communication	M	<ul style="list-style-type: none"> Regular meetings with all staff 	Town Clerk	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
	Performance issues	M	<ul style="list-style-type: none"> • Annual appraisals. • Reports to Council or relevant committee as necessary. 	Town Clerk	L
	Knowledge not up to date or insufficient	M	<ul style="list-style-type: none"> • Staff training - ongoing and seek independent professional advice – legal, property etc. as required 	Town Clerk	M
	Loss of key staff	M	<ul style="list-style-type: none"> • Regular meetings/staff appraisals • Insurance considered but no substantive cover available 	Town Clerk	M
Financial Records	Inadequate records	H	<ul style="list-style-type: none"> • Town Clerk reviews and reports quarterly to F&GPC. • Checks by internal auditors twice annually 	Town Clerk	L
Insurance	Insufficient cover for all responsibilities	M	<ul style="list-style-type: none"> • Annual review of cover taking account of existing and new responsibilities 	Town Clerk	L
Procurement	Contracts not issued properly to ensure best value	M	<ul style="list-style-type: none"> • Contract Standing Orders to be followed as part of Financial Regulations 	Town Clerk	L
Minutes	Inaccurate and decisions not followed up	M	<ul style="list-style-type: none"> • Minutes reviewed to ensure decisions actioned. • Minutes drafted and draft circulated and published as soon as practicable 	Town Clerk	L
Allotments	Revenue loss through poor management/badly maintained sites	M	<ul style="list-style-type: none"> • Regular inspections 	Admin Officer	L
	Lack of security	H	<ul style="list-style-type: none"> • Regular inspections • Feedback from Allotments Volunteer Management Group 	Admin Officer	M

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
	Damage/nuisance to adjacent residents	M	<ul style="list-style-type: none"> Regular inspections Rules reviewed regularly and professional advice taken as appropriate 	Town Clerk /Facilities & Projects Officer	L
	Accidents/Personal Injury	M	<ul style="list-style-type: none"> Risk assessment is reviewed annually and public liability insurance. 	Admin Officer	M
	Vandalism	H	<ul style="list-style-type: none"> Feedback from Allotments Volunteer Management Group 	Town Clerk	M
	Cash handling and banking	M	<ul style="list-style-type: none"> Cash payments for fees taken in office, recorded and banked as soon as practicable 	Admin Officer	L
Open Spaces	Damage/vandalism	H	<ul style="list-style-type: none"> Regular inspections and reports to town clerk and Council, if appropriate 	Town Maintenance Officer	M
	Condition of land	H	<ul style="list-style-type: none"> Buildings insurance Maintenance programme 	All Officers	M
Marshlands/ Town Hall	Damage/vandalism	H	<ul style="list-style-type: none"> Alarm system, call out and police liaison 	Town Clerk	H
	Revenue loss due to badly managed buildings	M	<ul style="list-style-type: none"> Liaison with hirers of function room Review of fees and charges 	Town Clerk	L
	Accident/injury caused by hirers	M	<ul style="list-style-type: none"> Terms and conditions of hire given to hirer 	Admin Officer	M
	Loss of income due to reduced bookings	M	<ul style="list-style-type: none"> Promotion of venue and policy on reduced rates for charities and community organisations Regular reviews of income as against expenditure 	Town Clerk	M

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
	Building safety	H	<ul style="list-style-type: none"> • Fire, electrical safety checks • Health and safety risk assessment and policy update • Health and safety notice board • COSHH area • Annual PAT testing of equipment • Legionella compliance 	Admin Officer	M
	Condition of building	H	<ul style="list-style-type: none"> • Buildings insurance • EMRs set aside for maintenance programme 	Town Clerk	M
	Running costs higher than anticipated	H	<ul style="list-style-type: none"> • Sufficient budget allocation • Increasing earmarked reserves to improve resilience • Close monitoring and management • Maximising income generation 	Town Clerk	M
Play Areas	Damage/vandalism/rubbish	H	<ul style="list-style-type: none"> • Regular visual checks and weekly inspections identifying defects and remedial action required • Regular reports to F&GPC identifying any issues • Annual independent RoSPA inspections 	Town Maintenance Officer	M
	Trees	M	<ul style="list-style-type: none"> • Regular inspections at intervals and commissioning the carrying out of recommended works in a timely manner 	Facilities & Projects Officer	L
	Facilities not maintained	M	<ul style="list-style-type: none"> • In house minor repairs • Use of approved qualified contractor for more substantial repairs 	Town Maintenance Officer	L

Issue	Risk Identified	Level of Risk H/M/L	Management of Risk (Mitigating factors)	Officer Action	Reviewed level of risk
	Personal injury	H	<ul style="list-style-type: none"> Preventative measures, as above Adequate insurance cover Additional advisory signage to ensure safe usage of equipment during the covid-19 pandemic 	Town Maintenance Officer	M
Vehicles/ Machinery	Loss, theft, vandalism	H	<ul style="list-style-type: none"> Secure storage Adequate insurance 	Town Maintenance Officer	M
	Misuse of equipment or badly maintained/accidents	M	<ul style="list-style-type: none"> Training and advice on use of equipment provided to relevant staff Annual servicing of vehicle and equipment as appropriate 	Town Maintenance Officer	L
Events	Road closures and liability	M	<ul style="list-style-type: none"> Correct procedures implemented Adequately trained staff 	Town Clerk	L
	General Health and Safety – setting up, parking, stewarding	H	<ul style="list-style-type: none"> Conditions for attendees, including traders' insurance where appropriate Liaison with EDDC and submission of risk assessments, as needed 	Town Clerk	M
	Organisation	M	<ul style="list-style-type: none"> Separate risk assessment for each event Ensuring adequate insurance including separate organiser's insurance, of appropriate 	Town Clerk	
	Christmas decorations and lighting	H	<ul style="list-style-type: none"> Testing/assessment of lights and fixings for town decorations and risk assessment of others Electrician tests all connections 	Town Maintenance Officer	M
Tourist Information	Provision of service in-house	M	<ul style="list-style-type: none"> Ensuring sufficient with appropriate knowledge employed to provide a quality service to visitors 	Admin Officers	L

The **level of risk** is an assessment of the likelihood and consequences of the risk happening.

The **management of risk** is how the town council controls the risk.

The **reviewed level of risk** is the level of risk after the control measures are taken into account and where further ongoing attention is necessary.

Reviewed – May 2022



SEATON TOWN COUNCIL ('the Council')

SCHEME OF DELEGATIONS

This Scheme of Delegations authorises the Proper Officer and Responsible Financial Officer ('the Town Clerk') and committees of the Council to act with delegated authority in the specific circumstances detailed. It will be reviewed annually at the Council's Annual General Meeting.

1. Proper Officer and Responsible Financial Officer - Duties and Powers

1.1. Responsible Financial Officer

The Town Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Council's accounting procedures in accordance with the *Accounts and Audit Regulations* and Financial Regulations in force at any given time.

1.2. Proper Officer

1.2.1 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.

1.2.2 The Town Clerk is specifically authorised (via legislation) to:

- Receive declarations of acceptance of office
- Receive and record notices from Councillors disclosing interests
- Receive and retain plans and other documents
- Sign notices, licences and other documents on behalf of the Council
- Receive copies of by-laws made by the principal council
- Certify copies of by-laws made by the Council
- Sign and issue summonses to attend meetings of the Council
- Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them)
- Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office

- To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000 and Data Protection Act 2018

1.2.3 In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- Notwithstanding any delegations to committees, to manage the day-to-day operation of the Council's services, buildings, land and all other assets for which the Council has responsibility, in line with the budgets, policies approved by Members and legislation.
 - Day-to-day management of the Council's employees in accordance with the Council's policies, procedures and budget, including:
 - i. Staff performance and discipline
 - ii. Payment of expenses and allowances in accordance with the Council's scheme
 - iii. The approval of increments in accordance with contracts of employment
 - iv. Implementation of national pay awards in line with the NJC Scheme of Conditions of Service (the 'Green Book') as amended by the Local Agreement.
 - v. Delegation of the day-to-day management of functions and services to the Deputy Clerk and other Officers, in line with approved duties of these posts, as agreed by the Council.
 - Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council but not correspondence requiring an opinion to be taken by the Council or its Committees.
 - Authorisation of routine/recurring expenditure within the agreed budget
 - Emergency expenditure up to £5,000 outside of the agreed budget
- 1.2.4 To make any such applications for grant funding, on behalf of the Council, as might, from time to time, become available from the National Lottery, Devon County Council, East Devon District Council and any other grant funding bodies that may assist the Council in maintaining its assets and delivering its services and special projects. Any such application will be reported back to the Council or, where relevant, committee as soon as practicable thereafter.
- 1.2.5 Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, this Scheme of Delegation and with directions given by the Council from time to time.

2. Absence of the Town Clerk

In the absence of the Town Clerk, the Deputy Clerk shall be authorised to deputise and undertake any of the functions of the Town Clerk's post.

3. Urgent Matters

Subject to consultation with two of the Chairman or Deputy Chairman of the Council or the relevant committee Chairman or Vice Chairman, the Town Clerk is authorised to act on behalf of the Council on any matter where, in her view, urgent action is needed to protect the interests of the Council. Such action will be reported back to the Council or relevant committee as soon as practicable thereafter.

4. Council

The following matters are reserved to the Council for decision (notwithstanding that the appropriate committee(s) may make recommendations thereon for the Council's consideration):

- 4.1 Appointing the Chairman / Mayor
- 4.2 All matters affecting the appointment, promotion, discipline, salary and conditions of service of the Town Clerk/ RFO following consideration of a recommendation from the Personnel Committee
- 4.3 Determination and setting of the precept
- 4.4 Borrowing money
- 4.5 Approving the end of year accounts and annual return
- 4.6 Appointment of an internal auditor
- 4.7 Co-option of councillors to the Council
- 4.8 Appointing committees, sub-committees and working parties/forums
- 4.9 Filling of councillor vacancies on any committee/working party/forum
- 4.10 Making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegations
- 4.11 Making, amending or revoking by-laws
- 4.12 Making of orders under any statutory powers
- 4.13 Matters of principle or policy
- 4.14 Agreeing the dates of meetings of the Council,
- 4.15 Receiving and noting of all minutes approved by the Council, its committees and sub-committees
- 4.16 Incurring capital or revenue expenditure which is over and above the Council's approved budget and any virements required
- 4.17 Nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings)
- 4.18 Prosecution or defence in a court of law

4.19 Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee

4.20 Approval of application for Quality Council status or its equivalent

4.1 Confirming eligibility to exercise the General Power of Competence

5. Committees – Terms of Reference

The Terms of Reference for each of the Council's committees shall be appended to this scheme of delegation and reviewed annually in their entirety.

6. Working Groups – Terms of Reference

Working groups may be formed by resolution of the Council at any time. The remit of such a Working Group will be decided upon at the time it is formed by means of a minute detailing the Terms of Reference. The Terms of Reference for each of the Council's working groups shall be appended to this scheme of delegations and reviewed annually in their entirety.

7. Delegation - Limitations

Committees and sub-committees shall, at all times, act in accordance with the Council's Standing Orders, Financial Regulations, this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, by-laws or orders made and with any directions given by the Council from time to time.

8. Specific Delegations

To enable the Council to fulfil its responsibilities during periods of restricted activity due to the Covid-19 pandemic, or for any other reason, the Clerk, in consultation with two of either the Chair, Deputy Chair or Chair of Finance & General Purposes, is delegated to make decisions on behalf of the Council where such decision cannot, in the Town Clerk's view, be reasonably deferred to a meeting of the Council or one of its constituent committees. All councillors will be kept informed of any decisions made, which will be formally ratified at the first properly convened meeting of the Council thereafter.

Furthermore, the Town Clerk, after consultation with members of the Planning Committee, is delegated to submit comments for planning applications to East Devon District Council on any applications received where the deadline for a response is before the application may be considered by said committee.

Reviewed – May 2022



Seaton Town Council Constitution

Chapter 6 Complaints Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

1.0 Introduction

- 1.1 Seaton Town Council ('the Council') is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from the Council or are unhappy about an action or lack of action by the Council, this policy document sets out how you may complain and how the Council will try and resolve your complaint.
- 1.2 Complaints received from members of the public about the administration or procedures of the Council are not subject to the jurisdiction of the Local Government Ombudsman. There are few remedies available, aside from the four-yearly election cycle where councillors might not be re-elected, if the public are unhappy with the representation that they have had. The Government takes the view that town and parish councils are accountable to their electorate, principally, through the ballot box.
- 1.3 However, in the interests of transparency and accountability, the Council has adopted a formal procedure for considering complaints.
- 1.4 The Council is committed to making use of complaints information to continuously improve the services offered.
- 1.5 The Council's Complaints Policy defines how each of the following areas of complaint will be dealt with:
 1. Complaints about a service or function provided by the Council
 2. Complaints about an officer of the Council
 3. Complaints about a councillor
- 1.6 Additionally, every elector has the right to raise any matter affecting town business at the Annual Town Meeting. Members of the public are also able to come along and ask questions or raise issues during public question time at the start of every meeting of the Council and its constituent committees.

2.0 Definition of a complaint

A complaint is defined as '*any expression of dissatisfaction, however made, about the standard of service, action or lack of action by the Council, Councillors or staff, which affects an individual or group of individuals*'.

3.0 What the Complaints Policy will deal with

The policy will deal with:

- neglect or unjustified delay
- malice, bias, or unfair discrimination

- failure to provide advice or information, when reasonably requested
- providing misleading or inaccurate advice
- inefficiency, ineffectiveness, bad and unprofessional practice, or conduct

4.0 What the Complaints Policy will not deal with

The policy will not deal with:

- complaints for which there is a legal remedy or where legal proceedings already exists
- complaints about employment matters; these will be dealt with by the Council's internal grievance procedure
- complaints about an incident or matter which took place more than 12 months before a complaint is lodged

5.0 This Complaints Policy does not apply to:

- complaints by one employee against another employee, or between an employee and the Council as employer. These matters are dealt with under the Council's disciplinary and grievance procedures
- complaints against councillors. Such complaints will be dealt with under the Code of Conduct for Members, adopted by the Council at any given time. If a complaint against a councillor is received by the Council, it will be referred to the Monitoring Officer at East Devon District Council for investigation. Further information on the process of dealing with complaints against councillors may be obtained from the Monitoring Officer at East Devon District Council

6.0 Equal Opportunities

6.1 The Council is committed to equal opportunities. Complaints/feedback will be used to highlight discriminatory practices, and to promote equality of opportunity.

6.2 Complaints by members of the public of discrimination and/or harassment by the Council will be dealt with through the complaints procedure detailed herein, unless it is a complaint that should be dealt with through a statutory procedure.

7.0 Stages of the Complaints Procedure

7.1 The stages of the procedure are designed to provide the complainant with a fair means of redress and to provide a framework for officers to work within. However, there may be occasions when a complainant makes an approach in a different manner and it is important that the procedure does not in itself become a barrier to effective communication.

8.0 Informal Complaints

- 8.1 During the course of daily business, minor complaints may be made to officers regarding the service the Council provides. The appropriate officer or Town Clerk will usually deal with these. It is not appropriate for every comment received to be treated as a formal complaint. Every effort should be made to deal with these problems immediately, either by providing information, instigating appropriate action, or explaining a decision.

9.0 Formal Complaints

The procedure for handling formal complaints is set out below:

Stage 1

- 9.1 A complainant may notify a complaint orally to a councillor or the Town Clerk, as the Proper Officer of the Council. This will be recorded as a complaint and passed to the appropriate person to investigate.
- 9.2 If the complainant remains dissatisfied with the response, they will be asked to put their complaint in writing to the Town Clerk. An acknowledgement will be sent within 2 working days
- 9.3 If a complainant indicates that he/she would prefer not to put the complaint to the Town Clerk then he/she should be advised to put it to the Chairman of the Council. An acknowledgement will be sent within 2 working days.

Stage 2

- 9.4 The Town Clerk or the Chairman of the Council, will endeavour to settle the complaint directly with the complainant within 14 working days of receipt of thereof, but shall not do so without first notifying any person who is the subject of the complaint, providing an opportunity to comment.
- 9.5 If the investigation of the complaint is likely to take more than 14 working days, the complainant will be notified together with a reason for the extended investigation period.
- 9.6 Where the Town Clerk receives a written complaint about his/her own actions, he/she shall immediately refer the complaint to the Chairman of the Council.

Stage 3

- 9.7 The formal response to the complaint must also advise the complainant that, if having received a full response to the complaint, the issue remains unresolved, the complainant has the right to request, within 7 days, that the matter be referred to:
 - a) the Committee responsible for the service or function; or

b) the Personnel Committee, in the case of a member of staff

- 9.8 A decision made by (a) or (b) above shall be considered final and the complaint considered closed.
- 9.9 If the complainant does not make such a request within 7 working days, the complaint is considered closed.

Stage 4

- 9.10 If the complainant responds and requests the matter to be referred to the relevant committee, as detailed above, the Town Clerk shall consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and the public. If the matter is such that the Council or the Town Clerk believes that the matter may lead to a disciplinary hearing then the matter must be heard with the press and public excluded.
- 9.11 If the complaint is against any employee, even if the matter is being dealt with initially out of the context of the formal disciplinary hearing, then the employee is entitled to have a representative present to act as set out in the Employment Relations Act 1999 s.10. The matter before the Council in this case will be to establish whether there is a factual basis to the complaint and the action that should then be taken. The proceedings at this stage cannot be a formal disciplinary hearing, which must be convened on a separate occasion in the proper manner.
- 9.12 If the complaint is against any elected member, which cannot be resolved at a local level, this will be referred to the Monitoring Officer at East Devon District Council.

Stage 5

- 9.13 The complainant will be notified, in writing, of the final decision within 14 working days of the meeting of the relevant committee.

10.0 Unreasonable and Vexatious Complaints

- 10.1 In the event of repeated vexatious or malicious complaints from a member of the public the Council will consider taking legal advice before writing any letters to the complainant. If new evidence is provided, it will be evaluated in case the subject matter is sufficiently different from any previous vexatious or malicious complaint as to justify consideration as a new complaint.

11.0 Anonymous Complaints

- 11.1 Anonymous complaints should be referred to the Town Clerk, and may

be acted on at his/her discretion, according to the type and seriousness of the allegation.

Reviewed – May 2022



Seaton Town Council Constitution

Chapter 7 Risk Management Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

1.0 BACKGROUND

- 1.1 This Risk Management Policy outlines Seaton Town Council's ("the Council") framework for managing risk.
- 1.2 The Association of Chartered Certified Accountants (ACCA) defines risk as:
"An unrealised future loss arising from a present action or inaction. Risks are the opportunities and dangers associated with uncertain future events".
- 1.3 Risk Management can be defined as:
"The process of identifying risks, evaluating their potential consequences and determining and implementing the most effective way of controlling and monitoring them. The objective of the process is to reduce adverse consequences by reducing the likelihood of the event or its impact"

2.0 AIMS AND OBJECTIVES

- 2.1 The aim of the Council's Risk Management Policy is to adopt best practice in the identification and evaluation of risks and the cost-effective control of risks to ensure that they are reduced to an acceptable level.
- 2.2 It is acknowledged that some risks will always exist and will never be eliminated. All employees must understand the nature of risk and accept responsibility for risks associated with their role and responsibility.
- 2.3 The risk management objectives of the Council are to:
 - embed risk management into the culture of the Council
 - fully incorporate risk management as an integral part of setting and delivering the Council's corporate objectives, the Council's day-to-day operations and any projects or events that the Council undertakes
 - manage risk in accordance with best practice and in accordance with the requirements of the Annual Governance Statement
 - consider legal compliance as a minimum
 - prevent injury and damage and reduce the cost of risk
 - raise awareness of the need for risk management
- 2.4 These objectives will be achieved by:
 - establishing and keeping under review this Risk Management Policy
 - establishing a clear risk assessment procedure via a risk register to ensure that all risks are assessed to a certain standard
 - clearly defining roles and responsibilities for risk management in staff job descriptions and the staff handbook
 - maintaining and reviewing a register of corporate, operational and project risks
 - regularly reporting risks to the Finance and General Purposes Committee and/or Council as appropriate, along with progress

reports on how risks are being managed

3.0 ROLES AND RESPONSIBILITIES

- 3.1 The following groups and individuals have the following roles and responsibilities for risk and opportunity management within the Council.
- 3.2 The Council will approve the Risk Management Policy, associated Risk Register and any subsequent revisions, at least annually.
- 3.3 The Town Clerk and Responsible Financial Officer (RFO) is responsible for providing assurance to the Council through ensuring that risks are being identified, evaluated and managed appropriately. The Town Clerk and RFO will provide updates to the Council as appropriate.
- 3.5 All officers of the Council need to have an awareness of risk management and are responsible for ensuring that they manage risk effectively in their jobs and report hazards and risks to the Town Clerk, as soon as practicable.

4.0 STRATEGIC, OPERATIONAL AND PROJECT RISKS

- 4.1 Broadly speaking risks can be divided into three categories:

Strategic – risks which need to be considered in judgements about the medium to long term goals and objectives of the Council whilst, at the same time, considering opportunities

Operational – risks and opportunities which the Council will encounter in the day-to-day operational aspects of its work

Project - risks and opportunities encountered during specific tasks and projects being undertaken

- 4.2 **Strategic Risks**

The major categories of strategic risk may include:

Political – failure to deliver either local or central government policy

Economic – ability of the Council to meet its financial commitments. These include internal budgetary pressures, as well as external factors affecting the economy as a whole

Social – effect of changes in demographic, residential or socio-economic trends on the Council's ability to deliver its objectives.

Technological – capacity of the Council to deal with the pace and scale of technological change, or its ability to use technology to address changing demands

Reputational – any actions or inaction of the Council, where its reputation suffers as a result

Data Protection/Information Security – consequences of data/information transfer between the Council and other bodies such as Devon County Council or East Devon District Council

Legislative – current or future potential changes in legislation

Health and Safety – all aspects of health & safety, as well as the legislation relating to corporate manslaughter

Environmental – environmental consequences of progressing the Council's strategic objectives – for example, in terms of climate change, energy efficiency, pollution, recycling, flooding, etc.

Competitive – competitiveness of the Council, in terms of cost or quality and/or its ability to deliver best value

Community – failure to meet the current and changing needs and expectations of the community

Partnership – working in partnership with other councils or stakeholder organizations

4.3 **Operational Risks**

These may include:

Professional – ability to recruit and retain appropriate staff to roles. Prolonged absences of staff due to long-term illness.

Financial – financial planning and control and adequacy of insurance cover

Legal – possible breaches of legislation – for example, Health and Safety at Work Act, Data Protection Act, Town & Country Planning Act

Personal Safety – lone working and the potential to encounter aggressive or confrontational people whilst carrying out duties

Physical – fire, security, accident prevention and health and safety – for example, hazards/risk associated with buildings, vehicles, land, plant and equipment

Contractual – failure of contractors to deliver services or products to the agreed specifications and costs

Technological – reliance on operational equipment and the potential for technological failure – for example, IT systems or equipment and machinery

4.4 Project Risks

These may include:

People – whether the right people with the right skills are engaged in each task or project

Technical – the Council’s reliance on a software provider to deliver what has been agreed in their contract for services and that they provide support for dealing with any systems problems or issues

Cost – potential for the project to exceed approved budget if people and technical aspects are not delivered in line with a project plan

Time – ensuring sufficient time is allocated to a project, including provision for slippage, to ensure cost and quality is not affected

The categories are not exhaustive but provide a framework for identifying potential risks faced by the Council.

5.0 RISK MANAGEMENT PROCESS

5.1 The process below will cover all areas of risk management including decision-making and the managing of strategic, operational and project risks and opportunities.

Step 1 – Identify risks

All sources of risk are identified and listed in the Council’s Risk Register.

Step 2 – Analyzing risks

Once identified, an assessment of the likelihood and consequences of the risk happening is conducted.

Step 3 – Managing risks

The management of risk is how the Council controls the risk. There are four key action strategies to managing risk:

- **Transference** - transfer the risk to the third party; for example, use of insurance
- **Avoidance** – risk decreased as much as possible by avoiding risky areas
- **Reduction** – limit exposure to risk or decrease effects of risk should it occur
- **Acceptance** – accept risk may occur and choose to deal with it if it does occur

Step 4 – Monitoring risks

The reviewed level of risk is the level of risk, after mitigating measures are considered and where further ongoing attention is required such as regular inspections. Progress in managing risks should be monitored.

Risk management is an on-going process that should be constantly revisited and reviewed to ensure that new and emerging risks are assessed acted upon.

- 5.2 It is important to recognize these steps as part of a cycle. Risk management is dynamic and so the identification phase needs to be done continuously. It is also important to consider whether the nature of the risk has changed over time.



Seaton Town Council Constitution

Chapter 9 Data Protection Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

SEATON TOWN COUNCIL

Data Protection Policy

1. Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be by the personal data alone or in conjunction with any other personal data. The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other local legislation relating to personal data and rights such as the Human Rights Act.

2. Council information

This policy is produced by Seaton Town Council (‘the Council’) which is the data controller for your data.

3. Who are the data controllers?

Seaton Town Council, Marshlands Centre, Harbour Road, Seaton EX12 2LT
www.seatontown.gov.uk

4. What personal data is collected?

- Names, titles, and aliases, photographs
- Contact details such as telephone numbers, addresses, and email addresses
- Where they are relevant to the services provided by a council, or where you provide them to the Council, it may process demographic information such as gender, age, marital status, nationality, education/work histories, academic/professional qualifications, hobbies, family composition, and dependants
- Where you pay for activities such as use of a council facility, facility identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers

5. The Council will comply with data protection law. This says that the personal data held about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that the Council has clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes the Council has told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes the Council has told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

6. We use your personal data for some or all of the following purposes:

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To confirm your identity to provide some services;
- To contact you by post, email, telephone or using social media (e.g., Facebook, Twitter, WhatsApp);
- To help us to build up a picture of how we are performing;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for the law enforcement functions;
- To enable the Council to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out comprehensive safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are provided with safe environments and generally as necessary to protect individuals from harm or injury;
- To promote the interests of the Council;
- To maintain the Council's own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and role holders;
- To send you communications which you have requested and that may be of interest to you. These may include information about event, appeals, other new projects or initiatives;
- To process relevant financial transactions including grants and payments for goods and services supplied to the Council
- To allow the statistical analysis of data so the Council can plan the provision of services.

7. What is the legal basis for processing your personal data?

The Council is a public authority and has certain powers and duties. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the Council's statutory functions and powers.

Sometimes when exercising these powers or duties it is necessary to process personal data of residents or people using the council's services. The Council will always take into account your interests and rights. This policy sets out your rights and the Council's obligations to you in detail.

The Council may also process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. An example of this would be processing your data in connection with the use of our facilities, cemetery, or the acceptance of an allotment tenancy.

Sometimes the use of your personal data requires your consent. The Council will first obtain your consent to that use.

8. Sharing your personal data

The Council will implement appropriate security measures to protect your personal data. This section of the policy provides information about the third parties with whom the council will share your personal data. These third parties also have an obligation to put in place appropriate security measures and will be responsible to you directly for the manner in which they process and protect your personal data. It is likely that the Council will need to share your data with some or all of the following (but only where necessary):

- The Council's agents, suppliers and contractors. For example, the Council may ask a commercial provider to publish or distribute newsletters on our behalf, or to maintain our database software;
- On occasion, other local authorities or not for profit bodies with which we are carrying out joint ventures e.g. in relation to facilities or events for the community.

9. How long do we keep your personal data?

The Council will keep some records permanently if legally required to do so e.g. cemetery records. The Council may keep some other records for an extended period of time. For example, it is current best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information. The Council may have legal obligations to retain some data in connection with our statutory obligations as a public authority. The Council is permitted to retain data in order to defend or pursue claims. In some cases, the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). The Council will retain some personal data for this purpose as long as the Council believes it is necessary to be able to defend or pursue a claim. In general, the Council will endeavour to keep data only for as long as needed. This means that the Council will delete it when it is no longer needed.

10. Your rights and your personal data

You have the following rights with respect to your personal data. When exercising any of the rights listed below, in order to process your request, the Council may need to verify your identity for your security. In such cases the Council will need you to respond with proof of your identity before you can exercise these rights.

- (i) The right to access personal data the Council holds on you
- (ii) The right to correct and update the personal data the Council holds on you
- (iii) The right to have your personal data erased
- (iv) The right to object to processing of your personal data or to restrict it to certain purposes only
- (v) The right to data portability
- (vi) The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained
- (vii) The right to lodge a complaint with the Information Commissioner's Office.

You can contact the Information Commissioners Office on 0303 123 1113 or via email <https://ico.org.uk/global/contact-us/email/> or at the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

11.Transfer of Data Abroad

The Council's website and social media are also accessible from overseas so on occasion some personal data (for example in a news item or social media post) may be accessed from overseas.

12.Further processing

If the Council wishes to use your personal data for a new purpose, not covered by this policy, then the Council will provide you with a privacy notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, the Council will seek your prior consent to the new processing.

13.Changes to this policy

The Council will keep this policy under regular review and place any updates on www.seaton.gov.uk.

Reviewed: 3 May 2022



Seaton Town Council Constitution

Chapter 10 Data Breach Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

DATA BREACH POLICY & REPORT FORM

1. Introduction

1.1 Seaton Town Council (“the Council”) collects, holds, processes and shares personal information collected from a variety of different sources. Personal information is a valuable asset which can be seriously abused in the wrong hands, often causing great distress and inconvenience to the data subject.

1.2 Data breaches are increasingly common occurrences, whether through human error or malicious intent.

1.3 It is therefore necessary for the Council to have in place a robust policy and procedure for responding to any reported data breach, to ensure that it can protect as far as possible the security of any personal data that may come into its possession .

1.4 The General Data Protection Regulations (“the GDPR”) came into full effect on 25 May 2018.

2. Purpose and Scope

2.1 The Council is obliged under the GDPR and related legislation to have in place a framework designed to protect the security of all personal data that comes into its possession. This includes clear lines of responsibility for the reporting and management of situations where there has been an apparent breach of data protection principles.

2.2 By adopting a systematic procedure to all reported data breaches the Council aims to ensure, inter alia, that:

- incidents are reported in a timely manner and can be properly investigated
- incidents are dealt with by appropriately authorised and skilled personnel
- there is appropriate level of involvement from the Town Clerk as Proper Officer and designated Data Protection Officer and councillors
- incidents are recorded and documented
- lessons are learned from incidents and recommendations/procedures are adopted to prevent future re-occurrences
- evidence is gathered and decisions reached in such a way as to withstand external examination
- data subjects and external bodies are notified in a timely manner
- action is taken to minimize the impact of the breach

2.3 This policy sets out the procedure to be followed to ensure a consistent and effective approach for managing data breaches.

2.4 This policy applies to all officers and councillors. This includes temporary, casual or agency staff as well as contractors, consultants, suppliers and data processors working on behalf of the Council. The policy needs to be read in conjunction with any HR policies and IT policies which may impact upon data security.

2.5 This policy applies to all personal and special categories of data held by the Council regardless of format.

3. Definitions and examples of breach

3.1 The Information Commissioner's website describes a breach as "*a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data.*"

3.2 For the avoidance of doubt, this policy applies to both a *confirmed* breach and a *suspected* breach. Only a report and subsequent investigation will confirm whether there has been an actual breach and even in the event of the report being a false alarm, it may throw up issues of good practice to review.

3.3 Personal data breaches can include (this is not an exhaustive list):

- access by an unauthorised third party
- deliberate or accidental action (or inaction) by a controller or processor
- sending personal data to an incorrect recipient
- computing devices containing personal data being lost or stolen
- alteration of personal data without permission
- loss of availability of personal data

4. Reporting an Incident

4.1 Any individual who uses or accesses the Council's information is responsible for its security. In the event of a confirmed or suspected data breach, the individual should immediately report the incident to the Town Clerk.

4.2 If a breach is discovered outside normal working hours, it must be reported as soon as practicable. If this occurs over a bank holiday the Town Clerk, who also acts as the Data Protection Officer, will be contacted via their personal mobile telephone number.

4.3 Any councillor or officer who believes or suspects that a data breach has occurred must complete a Data Breach Report Form (Appendix 1) and send it to the Town Clerk by email (townclerk@seaton.gov.uk) within 4 hours of becoming aware of the existence of the breach. This is so even if all the facts are not yet available.

4.4 The Data Breach Report Form should be completed as fully as possible. As a minimum it should contain:

- the facts relating to the breach
- the effects of the breach
- remedial action taken

4.5 If further facts come to light after the submission of the Data Breach Report Form, these should be forwarded, without delay, to the Town Clerk.

4.6 The Town Clerk will investigate the breach.

4.7 The Town Clerk (in liaison with any relevant officers) will

a) immediately upon being instructed:

- determine if the breach is still on-going and authorise the appropriate steps to minimise the effect of the breach

b) within 24 hours of being instructed:

- advise on the severity of the breach to councillors
- establish what can be done to recover any losses or minimise the damage the breach could cause
- advise whether any third parties need be notified – this is not limited to the data subject. It could include the police or data subject's bank.
- form a provisional view on whether the breach ought to be reported to the Information Commissioner's Office

c) within 48 hours of being instructed:

- produce a final breach report and recommendations which will, as a minimum, include:
 - A summary of the evidence
 - A summary of the legal position
 - A detailed assessment of the breach together with a recommendation as to whether the breach should be reported to the Information Commissioner
 - Advice on the impact and scale of the breach
 - A list of recommendations to prevent similar breaches in the future + a timetable for implementation
 - Details of all actions taken by the Council, officers and the Town Clerk to date

4.8 All staff should be aware that any breach of data protection legislation may result in the Council's disciplinary procedures being instigated. Employees, agency staff and casual workers may risk losing employment. Contractors and consultants may risk losing their contract with the Council.

5 Seriousness of the Breach

5.1 There is now a mandatory requirement to notify the Information Commissioner's Office of any notifiable breach with 72 hours of the Council becoming aware of the breach. This is not a lot of time, hence the rather short time scales imposed upon the Investigating Officer in paragraph 4 (above).

5.2 If breaches are reported to the Information Commissioner's Office then it is important that as much information as possible is made available to enable their office to fully investigate the breach and to recognise not only what has happened but also what we as a Council have done to minimise the effect of the breach and what steps we have taken to prevent a re-occurrence.

5.3 Every incident will be assessed on a case by case basis. To establish the severity of any breach, it is necessary to establish the likelihood and severity of the resulting high risk (arising from the breach) to people's rights and freedoms.

5.4 In short, if there is a risk then the breach must be reported. If a risk is unlikely, then it need not be reported although a record of the decision has to be kept.

5.5 By way of an example – the theft of a customer database will have to be reported because of the likelihood of identity fraud and the resulting distress that can cause. The loss of an internal directory of phone numbers need not.

5.6 Given the short time scale involved, it is appropriate that the decision whether to report a breach to the ICO shall be taken by the Council's Town Clerk in consultation with the Chair & Deputy Chair.

5.7 Any decision to report a breach to the Information Commissioner's Office shall be communicated by the Town Clerk to councillors who shall be kept fully apprised as to the progress of the matter.

5.8 The Data Protection Officer shall keep secure records of:

- the Data Breach Report Form
- any advice or recommendations issued by the Investigating Officer either immediately or within 24 hours of being instructed
- a copy of the final Breach Report
- a copy of any decision to notify (or not) the Information Commissioner's Office of any breach
- any decisions in respect of third-party notifications

6 Notification

6.1 As noted in paragraph 4, the Town Clerk will recommend whether anyone should be notified of the breach. There is an obvious reason for notification – so that the data subjects concerned can perhaps take immediate steps to limit the impact upon themselves and to also advise them that their data has been compromised.

6.2 There is a danger in “over-notification”, so care will need to be exercised in deciding who to notify.

6.3 Individuals whose personal data has been affected by the breach and where it has been established likely to result in a high risk of adversely affecting that individual's rights and freedoms must be informed without undue delay. The notification will include a description of how and when the breach occurred, and the data involved. Advice must be offered about what they can do to protect themselves. The notification must also set out what has been done and provide a point of contact for the individual at the Council.

6.4 Consideration should also be given to notifying other third parties – eg, banks, insurers and the police. This may be appropriate if criminal activity is suspected.

7. Review

Following any breach, a review will be undertaken to see what lessons can and should be learned. This may result in changes to policy and practice.

8. Policy Review

This policy is a living document and will be reviewed and updated as necessary by the Town Clerk. However, the Policy will be scrutinised annually to ensure its ongoing fitness for purpose.

Reviewed – 3 May 2022

APPENDIX 1

SEATON TOWN COUNCIL – DATA PROTECTION BREACH NOTIFICATION FORM

- To be completed by the Town Clerk as soon as practicable after the breach is notified

1. Summary of Incident	
Date and time of incident:	
Number of people whose data is affected:	
Nature of breach e.g. theft/disclosed in error/technical problems	
Description of how breach occurred:	

2. Reporting	
When was breach reported?	
How the Town Clerk became aware of the breach:	
Have there been similar incidents in the past? If so, please provide details:	

3. Personal Data	
Full description of personal data involved (without identifiers):	
Number of individuals affected:	
Have all affected individuals been informed:	
If not, state why not:	
Is there any evidence to date that the personal data involved in this incident has been inappropriately processed or further disclosed? If so, please provide details:	

4. Data Retrieval	
What immediate remedial action was taken:	
Has the data been retrieved or deleted? If yes - date and time:	

5. Impact	
Describe the risk of harm to the individual as a result of this incident:	
Describe the risk of identity fraud as a result of this incident:	
Have you received a formal complaint from any individual affected by this breach? If so, provide details:	

6. Management	
Do you consider the individual(s) involved has breached information governances policies and procedures:	
If "yes", why?	
Had the individual(s) completed data protection training:	
As a result of this incident, do you consider whether any other personal data held may be exposed to similar vulnerabilities? If so, what steps have been	

taken to address this:	
Has there been any media coverage of the incident? If so, please provide details	
What further action has been taken to minimise the possibility of a repeat of such an incident? Please provide copies of any internal correspondence regarding any changes in procedure:	

Form completed by.....

Position.....

Signed.....

Email.....

Telephone Phone Number.....

Dated.....



Seaton Town Council Constitution

Chapter 11 Protocol on Member/Officer Relations

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

Protocol on Member/Officer Relations

1.0 Introduction

- 1.1 The purpose of this protocol is to provide a framework for Members (Councillors) and officers on their respective roles and responsibilities towards each other to ensure the smooth running of the Council.
- 1.2 The reputation and integrity of the Council is significantly influenced by how effectively Members, the Town Clerk and other staff work together to support each other's roles. The aim is to achieve efficient, professional working relationships characterised by mutual trust, respect and courtesy.

2.0 General Principles

- 2.1 The ideal relationship is best defined as a partnership of Members and officers, working together to achieve the overall aims of the Council. The following principles will apply:
 1. Members and officers should avoid any close personal familiarity, that could give rise to the suspicion of bias or undue influence
 2. Every person must be treated fairly with dignity and respect. Harassment and bullying is not acceptable
 3. In general, Members make policy and Officers implement the Council's policies. In most cases, Members should avoid becoming involved in the operational and administrative aspects of service delivery
 4. Members and officers share a responsibility to work collectively to achieve and implement decisions in the interests of the Council and the area it serves
 5. All dealings between Members and officers should be conducted courteously and neither party should seek to take advantage of their position
 6. To ensure high standards of conduct, Members are required to abide by the Members' Code of Conduct and officers by the staff handbook
 7. If an officer is concerned about the behaviour of a councillor, or if a councillor is concerned about the behaviour of an Officer, the nature of the concern should be brought to the attention of the Town Clerk.

3.0 Roles of Members and Officers

- 3.1 The respective roles of Members and officers can be summarised as follows:
 - Members and officers are servants of the public and they are indispensable to one and other, but their responsibilities are distinct.
 - Members are responsible to the electorate and serve only so long as their term of office lasts.
 - Officers are responsible to the Council. Their job is to give advice to Members and to the Council, and to carry out the Council's work under the direction and control of the Council and relevant committees.

3.2 Mutual respect between Members and officers is essential to good local governance.

4.0 Members

4.1 Members have four main areas of responsibility:

- To determine policy and provide community leadership;
- To monitor and review the Council's performance in delivering services;
- To represent the Council externally; and
- To act as advocates for their constituents.

4.2 It is not the role of Members to involve themselves in the day to day management and running of the Council. This is the Town Clerk's responsibility, and the Town Clerk will be acting on instructions from the Council or its constituent committees, within an agreed job description.

4.3 All Members have the same rights and obligations in their relationship with the Town Clerk and other employees, regardless of their status or political party, and should be treated equally.

5.0 Chairmen and Vice-Chairmen of Committees

5.1 Committee chairs and vice-chairs have additional responsibilities. These responsibilities mean that their relationships with employees may be different and more complex than those of other Members. However, they must still respect the impartiality of officers and must not ask them to undertake work of a party political nature, or to do anything which would prejudice their impartiality.

6.0 Officers

6.1 The role of officers is to give advice and information to Members and to implement the policies determined by the Council.

6.2 In giving such advice to Members, and in preparing and presenting reports, it is the responsibility of an officer to express his/her own professional views and recommendations. An officer may report the views of individual Members on an issue, but the recommendation should be the officer's own. If a Member wishes to express a contrary view they should not pressurise the officer to make a recommendation contrary to the officer's professional view, nor victimise an officer for discharging his/her responsibilities.

7.0 Meetings

7.1 Inappropriate relationships can be inferred from language/ style. To protect both Members and officers, officers should address Members at all formal meetings as, 'Councillor XXX' and 'Chairman' save where circumstances clearly indicate that a level of informality is appropriate. Similarly, when addressing officers at formal meetings of the Council, Members should address officers by their post title.

7.2 A Member should not raise matters relating to the conduct or capability of an officer at meetings held in public. This is a long-standing convention in public service. An officer has no means of responding to such criticisms in public. If a Member feels they have not been treated with proper respect, courtesy or have any concern about the conduct or capability of an officer and fails to resolve it through direct discussion with the officer, they should raise the matter with the Town Clerk who will then look into the facts and report back to the Member. Any action taken against an officer in respect of a complaint will be in accordance with the provisions of either the Council's Disciplinary Procedure or Capability Procedure.

8.0 Expectations

8.1 All Members can expect:

- A commitment from officers to the Council as a whole, and not to any individual Member, group of Members or political group;
- An effective and co-operative working partnership;
- Officers to understand and support respective roles, workloads and pressures;
- A timely response from officers to enquiries and complaints;
- Officers' professional advice, not influenced by political views or personal preferences;
- Regular, up to date, information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities or positions that they hold;
- Officers to be aware of and sensitive to the public and political environment locally;
- Respect, courtesy, integrity and appropriate confidentiality from officers;
- Training and development opportunities to help them carry out their role effectively;
- Not to have personal issues raised with them by officers outside the Council's agreed procedures;
- That officers will not use their contact with Members to advance their personal interests or to influence decisions improperly;
- That officers will at all times comply with the relevant code of conduct/ staff handbook.

8.2 Officers can expect from Members:

- A working partnership;
- An understanding of, and support for, respective roles, workloads and pressures;
- Leadership and direction;
- Respect, courtesy, integrity and appropriate confidentiality;
- Not to be bullied or to be put under undue pressure;
- That Members will not use their position or relationship with officers to advance their personal interests or those of others or to influence decisions improperly;
- That Members will, at all times, comply with the Council's adopted Code of Conduct.

9.0 Political Groups

- 9.1 The operation of political groups is becoming more of a feature within town and parish councils, but it is worth repeating that it is NALC policy that party politics should have no place in such councils. Town and parish councillors are there to serve their community as members of the community and should not be side-tracked by party political issues. Party politics within a town or parish council can pose particular difficulties in terms of the impartiality of the Clerk and other employees, and the relationship between Members and officers generally.
- 9.2 Party political groups have no power to require the Clerk or any other officer to attend group meetings or to prepare written reports for them, and employees can legitimately refuse to do so. The Clerk and other officers are responsible to the Council as a whole and should not take action under instructions from any individual Member.

10. When things go wrong

- 10.1 From time to time the relationship between Members and officers may break down or become strained. Whilst it is always preferable to resolve matters informally, through conciliation by an appropriate third party, the council has an adopted formal grievance procedure should it be required.
- 10.2 The Chair of the Council should not attempt to deal with grievances or work related performance or line management issues on their own. The Council has a Personnel Committee with delegated authority to deal with all personnel matters.
- 10.3 The law requires all employers to have disciplinary and grievance procedures. The Council's grievance procedure enables individual officers to raise concerns, problems or complaints about their employment in an open and fair way.
- 10.4 If a Member is dissatisfied with the conduct, behaviour or performance of an officer, the matter should be raised with the Town Clerk in the first instance. If the matter cannot be resolved informally, it may be necessary to invoke either the council's disciplinary procedure or capability procedure.
- 10.5 Where an officer feels that he/she has not be properly treated with respect and courtesy by a Member, he/she should raise the matter with the Town Clerk. In these circumstances the Town Clerk will take appropriate action either by approaching the individual Member and/or Chairman or by referring the matter to the Personnel Committee.
- 10.6 Where the complaint cannot be resolved, it will be referred to the Monitoring Officer at East Devon District Council.

11.0 Conclusions

- 11.1 Mutual understanding and openness on these sensitive issues and basic respect are the greatest safeguards of the integrity of the Council, Members and officers.
- 11.2 Copies of this protocol will be issued to all Members, upon election or co-option, and to all officers as part of their induction pack/ staff handbook.

Reviewed: 3 May 2022



Seaton Town Council Constitution

Chapter 12 Freedom of Information Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

1. Introduction

- 1.1 The publication scheme ('the Scheme') adopted by Seaton Town Council ('the Council') is based on the model scheme prepared and approved by the Information Commissioner, which may be adopted without modification by any public authority without further approval and will be valid until further notice.
- 1.2 This Scheme commits the Council to make information held, as part of its normal business activities, available to the public.

2. Classes of information

2.1 Who we are and what we do.

Organizational information, locations and contacts, constitutional and legal governance.

2.2 What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

2.3 What our priorities are and how we are doing.

Strategy and performance information, plans, assessments, inspections and reviews.

2.4 How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

2.5 Our policies and procedures.

Current written protocols for delivering functions and responsibilities.

2.6 Lists and registers.

Information held in registers required by law and other lists and registers relating to the functions of the Council.

2.7 The services we offer.

Advice and guidance, booklets and leaflets, transactions, and media releases. A description of the services offered.

3. Classes of information held will not generally include:

- Information - the disclosure of which is prevented by law or exempt under the Freedom of Information Act or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

4. The method by which information published under this scheme will be made available

4.1 The Council will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

4.2 Where it is within the capability of the Council, information will be provided on its website. Where it is impracticable to make information available on a website, or when an individual does not wish to access the information by the website, the Council's Scheme sets out how information can be obtained by other means.

4.3 In exceptional circumstances, information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

4.4 Information will be provided in the language in which it is held or in such other language that is legally required. Where the Council is legally required to translate information, it will arrange to do so.

4.5 Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with the Scheme.

5. Charges which may be made for information published under this scheme

5.1 The purpose of the Scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the Council for routinely published material will be justified and transparent and kept to a minimum.

5.2 Material which is published and accessed on a website will be provided free of charge. Charges may be made for information subject to a charging regime specified by Parliament. Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred, as a result of viewing information

5.3 Charges may also be made for information provided under this Scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

5.4 If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

6. Written requests

- 6.1 Information held by the Council that is not published under the Scheme can be requested in writing, and any such requests will be considered in accordance with the provisions of the Freedom of Information Act.
- 11.2 The Council will respond to such a request within 20 working days. If the Council is unable to share the information the letter will explain why.

Reviewed - May 2022



Seaton Town Council Constitution

Chapter 13 Publication Scheme

Reviewed - May 2022

Information available from Seaton Town Council under the model publication scheme

Information to be published	How the information can be obtained	Cost
<i>Class 1 – Who the Council is and what it does (organisational information, structures, locations and contacts)</i>		
Who's who on the Council and its committees	Hard copy and website	N/A
Contact details for the Town Clerk and councillors (named contacts where possible with telephone number and email address (if used))	Hard copy and website	N/A
Location of main Council office and accessibility details	Hard copy and website	N/A
Staffing structure	Hard copy and website	N/A
<i>Class 2 – What the Council spends and how it is spent (financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</i>		
Annual return form and report by auditor	Hard copy and website	3p per sheet
Finalised budget	Hard copy and website	3p per sheet
Precept	Hard copy and website	3p per sheet
Standing Orders and Financial Regulations	Hard copy and website	3p per sheet
Grants given and received	Hard copy and website	3p per sheet
List of current contracts awarded and value of contract	Hard copy and website	3p per sheet
Members' allowances and expenses	Hard copy and website	3p per sheet
<i>Class 3 – What the Council's priorities are and how it is doing (strategies, plans, performance indicators, audits, inspections and reviews)</i>		
Annual report to Town Meeting	Hard copy and website	N/A
Local Council Award Scheme	N/A	N/A
Local charters drawn up in accordance with DCLG guidelines	N/A	N/A

Information to be published	How the information can be obtained	Cost
<i>Class 4 – How we make decisions (decision making process and records of decisions)</i>		
Schedule of meetings (Council, committees and town meeting)	Hard copy and website	3p per sheet
Agendas of meetings (as above)	Hard copy and website	3p per sheet
Minutes of meetings (as above) note this will exclude information that is properly regarded as confidential	Hard copy and website	3p per sheet
Reports presented to council meetings - note this will exclude information that is properly regarded as private to the meeting.	Hard copy and website	3p per sheet
Responses to consultation papers	Hard copy and website	3p per sheet
Responses to planning applications	Hard copy and website	3p per sheet
Bye-laws	N/A	N/A
<i>Class 5 – Our policies and procedures (current written protocols, policies and procedures for delivering our services and responsibilities)</i>		
Policies and procedures for the conduct of council business including:		
Procedural standing orders	Hard copy & website	3p per sheet
Committee and terms of reference	Hard copy & website	3p per sheet
Delegated authority in respect of officers	Hard copy & website	3p per sheet
Code of Conduct	Hard copy & website	3p per sheet
Any such other policies that are, from time to time, adopted	Hard copy & website	3p per sheet
Policies and procedures for the provision of services and about the employment of staff:		
Internal policies relating to the delivery of services	Hard copy & website	3p per sheet

Information to be published	How the information can be obtained	Cost
Equality and diversity policy	Hard copy & website	3p per sheet
Health and safety policy	Hard copy & website	3p per sheet
Recruitment policies (including current vacancies)	Hard copy & website	3p per sheet
Policies and procedures for handling requests for information	Hard copy & website	3p per sheet
Complaints procedures (including those covering requests for information and operating the publication scheme)	Hard copy & website	3p per sheet
Data protection policies	Hard copy & website	3p per sheet
<i>Class 6 – Lists and Registers (currently maintained lists and registers only)</i>		
Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	Hard Copy	3p per sheet
Asset Register	Hard copy & website	3p per sheet
Register of members' interests	Hard copy & website	3p per sheet
Register of gifts and hospitality	Hard copy & website	3p per sheet
<i>Class 7 – The services we offer (information about the services we offer including leaflets, guidance and newsletters produced for the public and businesses)</i>		
Allotments	Hard copy & website	3p per sheet
Cliff Field Gardens	Hard copy & website	3p per sheet
Elizabeth Road Play Area	Hard copy & website	3p per sheet
Marshlands	Hard copy & website	3p per sheet
Seaton Down Hill	Hard copy & website	3p per sheet
Underfleet Play Area	Hard copy & website	3p per sheet



Seaton Town Council Constitution

Chapter 15 Social Media & Electronic Communications Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

SEATON TOWN COUNCIL

SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS POLICY

The use of digital and social media and electronic communication enables Seaton Town Council to interact in a way that improves communications, both within the Council and between the Council and the residents and stakeholders it works with and serves.

The Council has a website (www.seaton.gov.uk), social media platforms (Facebook/Instagram/Twitter), and uses email to communicate.

The Council will always try to use the most effective channel for its communications. Over time the Council may add to the channels of communication that it uses, as it seeks to improve and expand the services it delivers. When these changes occur, this policy will be updated to reflect the new arrangements.

The social media platforms and website are used to provide information and updates regarding activities and opportunities within the town, highlight the work being done by the Council and promote the town's community positively.

Communications from the Council will meet the following criteria:

- be civil, tasteful, factual and relevant
- not contain content that is knowingly unlawful, libellous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented or racially offensive
- not contain content knowingly copied from elsewhere, for which we do not own the copyright
- not contain any personal information
- if it is official Council business, it will be moderated by the Town Clerk to the Council
- not be used for the dissemination of any political advertising

In order to ensure that all discussions on the Council's social media platforms are productive, respectful and consistent with the Council's aims and objectives, contributors are asked to adhere to the following guidelines:

- be considerate and respectful of others - vulgarity, threats or abuse of language will not be tolerated
- differing opinions and discussion of diverse ideas are encouraged, but personal attacks on anyone, including councillors or staff, will not be permitted
- share freely and be generous with official Council posts, but be aware of copyright laws and be accurate, giving credit where credit is due
- stay on topic

The Council's website and social media platforms cannot be used for commercial purposes or to advertise, market or sell products or services.

The site is not monitored 24 hours a day and the Council will not reply individually to all messages or comments received. However, it will endeavour to ensure that any emerging themes or helpful suggestions are passed to the relevant people or authorities. Please do not include personal/private information in your social media posts.

Sending a message or posting via social media will not be considered as contacting the Council for official purposes and the Council will not monitor or respond to requests for information through this medium. Instead, please make direct contact with the Town Clerk (townclerk@seaton.gov.uk) and/or councillors by email, telephone or letter.

We retain the right to remove comments or content that includes:

- obscene or racist content
- personal attacks, insults, or threatening language
- potentially libellous or defamatory statements
- plagiarised material; any material in violation of any laws, including copyright
- private, personal information published without consent
- information or links unrelated to the content of the forum
- commercial promotions or spam
- allegations of a breach of a Council's policy or the law

If a communication is received that does not adhere to the above criteria, then the Council's response will be to either ignore, inform the sender of the Council's policy or send a brief response as appropriate. This will be at the Council's discretion based on the message received, given the limited resources available. Any information posted on social media - not in line with the above criteria - will be removed as quickly as practically possible. Those who repeatedly breach this policy will be blocked. The Council may post a statement that 'A post breaching the Council's Social Media Policy has been removed'. If the post alleges breach of a Council policy or the law, the person who posted it will be asked to submit a formal complaint to the Council or report the matter to the Police as soon as possible, to allow due process.

Council Website

Where necessary, the Council may direct those contacting it to the Council's website to see the required information or may forward the question to a councillor for consideration and response. The Council may not respond to every comment received.

Council Email

The Town Clerk has a specific email address – townclerk@seaton.gov.uk and response to enquiries will be sent as soon as practicable.

The Town Clerk and officers are responsible for dealing with email received and passing on any relevant mail to councillors or external agencies for information and/or action. All communications on behalf of the Council will usually come from the Town Clerk, and/or otherwise will always be copied to the Clerk.

Individual councillors are at liberty to communicate directly with parishioners in relation to their personal views and, if appropriate, copy to the Town Clerk. Any emails sent to the Town Clerk or councillors in their official capacity will be subject to the provisions of the Freedom of Information Act.

These procedures will ensure that a complete and proper record of all correspondence is kept.

Do not forward personal information on to other people or groups outside of the Council, this includes names, addresses, email, IP addresses and cookie identifiers.

Internal communication and access to information within the Council

The Council is continually looking at ways to improve its working and the use of social media and electronic communication is a major factor in delivering improvement.

Councillors are expected to abide by the Members' Code of Conduct and data protection legislation in all their work on behalf of the Council.

As more information becomes available electronically, it is vital that all information is treated sensitively and securely. Councillors are expected to maintain an awareness of the confidentiality of information that they have access to and not to share confidential information with anyone. Failure to properly observe confidentiality may be seen as a breach of the Members' Code of Conduct and will be dealt with through its prescribed procedures (in extreme cases, this could lead to a criminal investigation).

Members should be careful only to cc essential recipients on emails i.e. to avoid use of the 'Reply to All' option if at all possible, but of course copying in all who need to know and ensuring that email trails have been removed.

Reviewed – 3 May 2022



Seaton Town Council Constitution

Chapter 16 Community Grants Scheme

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

Community Grants Scheme

1. Introduction & Policy Statement

1.1 Seaton Town Council (“the Council”) recognises the immense value of voluntary and community activity and its contribution to residents’ well-being, the local economy and the sustainability of a wide range of services which benefit visitors and people living and working in the town. The following policy and procedures are based on the principles of fairness, responsiveness to local need and accountability.

1.2 The Council has the authority to make grants under the Local Government Act 1972, s 137, which allows a local authority to spend a limited amount on activities for which it has no specific power, but which the authority considers ‘will bring direct benefit to the area, or any part of it or all of some of its inhabitants’. The Local Government and Housing Act 1989 added the requirement that the benefit obtained should be commensurate with the expenditure incurred.

1.3 The grants are usually one-off payments for projects, such as the provision of new equipment. They can not be used to pay for staffing or other day to day running costs of a group or organisation.

1.4 The Council allocates a finite amount of funding each year for capital grants.

1.5 Capital grant requests may exceed the funds available, so early applications are encouraged.

1.6 The aim of this policy is to enable the Council to make an informed and fair assessment of relative need and thereby seek to ensure that finite resources are distributed fairly. Capital grant requests exceeding £1,000 will not usually be met in full, although exceptions may be made where the Council considers it appropriate.

2. Principles

2.1 Recipients of previous grants should not assume that they will be awarded a grant in future years. In any event, no further application will usually be considered from the same group or organisation for a period of 2 years from the date a grant is made. Grants will be awarded based on the criteria and assessment process set out in this policy, as amended from time to time.

2.2 Grants are awarded at the absolute discretion of the Council.

3. Eligibility Criteria

3.1 Grants will only be awarded to organisations or groups which demonstrate that they:

- a) Have a need for grant funding. Grants will not usually be awarded to any organisation with significant uncommitted funds
- b) Have, in the opinion of the Council, sound governance arrangements
- c) Have, in the opinion of the Council, sound financial management and plans
- d) Represent good value for money
- e) Have clear policies on equality and inclusion covering service users, subject to recognised exemptions

3.2 Applications from consortia and partnerships are accepted, when submitted by an organisation accepting lead responsibility for delivery. This organisation must be able to provide evidence and supporting documents confirming their eligibility.

3.3 Grants may only be awarded to branches of regional or national organisations which clearly demonstrate how the funding is to be used to specifically benefit the people of Seaton.

4. Application and Determination Process

4.1 Application forms are available on the Council's website.

4.2 Grant applications can be submitted for consideration at any time during the Council's financial year. Available grant funding does diminish over the course of the financial year and early applications are therefore encouraged.

4.5 Original applications are circulated to all members of the Council for scrutiny. On occasions, the Town Clerk may be asked to seek further information or clarification from the applicant and visits to applicants' organisations may be requested.

4.6 All organisations in receipt of grants will be required to provide a short report for the Annual Town Meeting each year, to explain how the grant has been used for the benefit of their organisation.

5. Supporting documentation required

5.1 The following items are required in support of each application:

- Insurance: evidence of current Public Liability Insurance covering a minimum of £2 million, Employer's Liability Insurance (if you are employing staff) and buildings / contents insurance (if applicable)
- Accounts – you must provide a copy of your audited accounts for the latest complete financial year and bank statements covering the last three months
- Aims of the organisation/constitution/memoranda and articles/terms of reference
- Child protection and vulnerable adult policies

- 5.2 The application itself must contain the following information:
- a) Names and addresses of key contact
 - b) The overall aims and objectives of your organisation
 - c) Description of the service provided, project or event to be supported
 - d) Reason for application with details of how the grant will be used
 - e) Number of clients served
 - f) How much funding is being applied for
 - g) How the grant will benefit the town and people of Seaton
 - h) Other sources of funding for the same purpose, whether secured or unsecured

6. Eligibility

The eligibility of applications will be assessed against the following criteria:

6.1 If the applicant has received funding in previous years, the Council must be satisfied that the applicant has delivered that project or service to a satisfactory level.

6.2 Applicants must answer all the questions on the application form.

6.3 Applications must demonstrate direct benefit to the inhabitants of Seaton.

6.4 The funding requested must be commensurate with the benefit obtained by the inhabitants of Seaton.

6.5 A schedule of awarded grants will be published on the Council's website annually.

6.6 Feedback on individual grant applications may be given on request to the organisation concerned.

6.7 Once an application is received from a group or organisation, no further application will usually be considered from the same group or organisation for a period of 2 years from the date a grant is made in respect of that application.

7. Conditions

7.1 Minor changes may be allowed subject to the funding being used in line with the original application. Any such changes must be applied for to the Council and agreed in writing.

7.2 Records should be kept showing how the grant has been spent.

7.3 Any funds not utilised for the original purpose must be returned to the Council.

Reviewed: May 2022



Seaton Town Council Constitution

Chapter 18 Training & Development Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

1 Introduction

1.1 This document forms Seaton Town Council's ('the Council') Training & Development Policy for staff and councillors.

It sets out:

- The Council's commitment to training
- The identification of training needs
- Financial assistance
- Study leave
- Short courses/workshops
- Evaluation of training
- Links with other policies
- Reporting on progress

2. Commitment to Training

2.1 Seaton Town Council is committed to the on-going training and development of all councillors and staff to enable them to make the most effective contribution to the Council's aims and objectives in providing the highest quality representation and services for the people of the town.

2.2 Seaton Town Council recognizes that its most important resource is its councillors and staff and is committed to encouraging both all to enhance knowledge and qualifications through further training. Some training is necessary to ensure compliance with all legal and statutory requirements. The Council expects senior staff to undertake a programme of continuing professional development (CPD) in line with the requirements of their requisite professional bodies and all staff to undertake training as deemed necessary to fulfil their duties on accordance with their contract of employment and job description. The Council requires all new councillors to undergo training and, thereafter to attend training as appropriate to their particular responsibilities such as finance or planning.

2.3 Training and development will be achieved by including a realistic financial allocation for training and development in the annual budget, as well as taking advantage of any relevant partnership or in-house provision available.

2.4 The process of development is as follows:

- i. Training needs should be identified by considering the overall objectives of the organisation, as well as individual requirements.
- ii. Planning and organising training to meet those specific needs.
- iii. Designing and delivering the training.
- iv. Evaluating the effectiveness of training.

3. The Identification of Training Needs

3.1 Staff will be asked to identify their development needs, with advice from their

line manager, during their annual appraisal or regular meetings with their line manager.

3.2 Other circumstances may present the need for training:

- Legislative requirements i.e. First Aid, Fire Safety, Manual Handling
- Changes in legislation
- Changes in office software and systems
- New or revised qualifications become available
- Accidents
- Professional error
- Introduction of new equipment
- Complaints to the Council
- A request from a member of staff or councillor
- delivery of new services

4. Resourcing Training

4.1 An allocation will be made in the budget each year to fund technical literature, training fees and travel expenses. The amount will be reviewed annually.

4.2 The Town Council subscribes to the National Association of Local Councils, Devon Association of Local Councils, and The Society of Local Council Clerks, in order to receive regular up-dates on matters relevant to the sector and have access to the courses and conferences which are provided.

5. Financial Assistance

5.1 It is important to note that all sponsored training must be appropriate to the needs of the Council, be relevant to the individual's role and is subject to the availability of financial resources. Each request will be considered on an individual basis and the benefits to the individual and the organisation will be identified.

5.2 Other considerations include the following:

- Implication of employee release for training course(s) on the operational capability of the Council
- The most economic and effective means of training
- Provision and availability of training budget

5.3 For approved courses councillors and staff can expect the following to be sponsored:

- course fee
- examination fees
- associated membership fees
- one payment to re-take a failed examination

5.4 Councillor and staff attending assisted courses are expected to inform the Town Clerk immediately of any absences for any reason.

5.5 Failure to sit an examination may result in the Council withdrawing future course funding and/or requesting the refunding of financial assistance. Each case will be considered on an individual basis.

5.6 Seaton Town Council operates a Return of Service agreement. Any staff member undertaking post-entry qualifications funded by the Council must be aware that should they leave the Council's employ within two years of completion of the qualification they may be required to repay all costs associated with the undertaking of such training. Each case to be reviewed by the Town Clerk, or in the case of the Town Clerk's training, jointly by the Chair of the Personnel Committee and the Chairman of the Council.

6. Study Leave

6.1 Employees who are given approval to undertake external qualifications are granted the following:

- Study time to attend day-release courses
- Time to sit examinations
- Study time of one day per examination (to be discussed and agreed by line manager in advance)
- Provision of study time must be agreed with the line manager prior to the course being undertaken.

7. Short Courses/Workshops/Residential Weekends (including conferences)

7.1 Where staff attendance is required at a short course on a Saturday or Sunday, up to a normal working day of straight TOIL per day may be taken.

7.2 Councillors and staff attending approved short courses/workshops/residential weekends can expect the following to be paid:

- The course fee (usually invoiced following the event)
- Travelling expenses in accordance with the Council's current policy
- Reasonable subsistence in accordance with the Council's current policy

8. Evaluation of Training

8.1 Records of all training undertaken by staff will be kept in the personnel files of each member of staff.

8.2 As part of Seaton Town Council's continuing commitment to training and development, councillors and staff are encouraged to share information received and circulate training presentation papers for in-house training use. They are asked to provide feedback on the value and effectiveness of the training they undertake, highlighting the key implications of new legislation, guidance and/or best practice for the on-going efficiency and effectiveness of the authority.

9. Linking with other Council Policies

9.1 How will this link to the Council's other policies?

- Equality of opportunity in all aspects of councillor and staff development
- Risk Management Policy — a commitment to Training and Development greatly assists in achieving good governance and an effective system of Risk Management
- Health and Safety Policy — on-going training and development is key to ensuring a positive approach to Health and Safety is embedded throughout the Council's activities

10. Reporting on Progress

The Town Clerk will report at least annually to the Personnel Committee, detailing attendance at training over the year including an evaluation of courses attended.

11. Conclusion

The adoption of a training policy should achieve many benefits for the Council.

Training will:

- Widen skills and experience
- Provide opportunities to network
- Provide the skills to confront challenges
- Encourage innovation
- Raise the standards of Seaton Town Council

The policy will be reviewed annually by the Council's Personnel Committee as to continuing fitness for purpose with recommendations for any changes made to the Council at the annual general meeting.

14. Freedom of Information

In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's website www.seaton.gov.uk and copies of this document will be available for inspection on deposit in the Council's offices.

Adopted: 6 September 2021

Date for review:



Seaton Town Council Constitution

Chapter 22 Equality & Diversity Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT

01297 21388

townclerk@seaton.gov.uk

SEATON TOWN COUNCIL

EQUALITY AND DIVERSITY POLICY

INTRODUCTION

Seaton Town Council ('the Council') is committed to providing equal opportunities in employment and to avoiding unlawful discrimination.

POLICY STATEMENT

This policy is intended to assist the Council to put this commitment into practice. Compliance with this policy should also ensure that employees do not commit unlawful acts of discrimination. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect, is an important aspect of ensuring equal opportunities in employment.

THE LAW

It is unlawful to discriminate directly or indirectly in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy, maternity, race (which includes colour, nationality, caste and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Discrimination after employment may also be unlawful, for example, refusing to give a reference for a reason related to one of the protected characteristics.

The Council will not discriminate against any person in the provision of services or goods. It is unlawful to fail to make reasonable adjustments to overcome barriers to using services caused by disability. The duty to make reasonable adjustments includes the removal, adaptation or alteration of physical features, if the physical features make it impossible or unreasonably difficult for disabled people to make use of services. In addition, service providers have an obligation to think ahead and address any barriers that may impede disabled people from accessing a service.

TYPES OF UNLAWFUL DISCRIMINATION

Direct discrimination is where a person is treated less favourably than another because of a protected characteristic. In limited circumstances, employers can directly discriminate against an individual for a reason related to any of the protected characteristics where there is an occupational requirement. The occupational requirement must be crucial to the post and a proportionate means of achieving a legitimate aim.

Indirect discrimination is where a provision, criterion or practice is applied that is discriminatory in relation to individuals who have a relevant protected characteristic such that it would be to the detriment of people who share that protected characteristic compared with people who do not, and it cannot be shown to be a proportionate means of achieving a legitimate aim.

Harassment is where there is unwanted conduct, related to one of the protected characteristics (other than marriage and civil partnership, and pregnancy and maternity) that has the purpose or effect of violating a person's dignity; or creating an intimidating, hostile, degrading, humiliating or offensive environment. It does not matter whether or not this effect was intended by the person responsible for the conduct.

Associative discrimination is where an individual is directly discriminated against or harassed for association with another individual who has a protected characteristic.

Perceptive discrimination is where an individual is directly discriminated against or harassed based on a perception that he/she has a particular protected characteristic when he/she does not, in fact, have that protected characteristic. Third-party harassment occurs where an employee is harassed and the harassment is related to a protected characteristic, by third parties.

Victimisation occurs where an employee is subjected to a detriment, such as being denied a training opportunity or a promotion because he/she made or supported a complaint or raised a grievance under the Equality Act 2010, or because he/she is suspected of doing so. However, an employee is not protected from victimisation if he/she acted maliciously or made or supported an untrue complaint.

Failure to make reasonable adjustments is where a physical feature or a provision, criterion or practice puts a disabled person at a substantial disadvantage compared with someone who does not have that protected characteristic and the employer has failed to make reasonable adjustments to enable the disabled person to overcome the disadvantage.

EQUAL OPPORTUNITIES IN EMPLOYMENT

The Council will avoid unlawful discrimination in all aspects of employment including recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

RECRUITMENT

Person and job specifications will be limited to those requirements that are necessary for the effective performance of the job. Candidates for employment or promotion will be assessed objectively against the requirements for the job, taking account of any reasonable adjustments that may be required for candidates with a disability. Disability

and personal or home commitments will not form the basis of employment decisions except where necessary.

WORKING PRACTICES

The Council will consider any possible indirectly discriminatory effect of its standard working practices, including the number of hours to be worked, the times at which these are to be worked and the place at which work is to be done, when considering requests for variations to these standard working practices and will refuse such requests only if the Council considers it has good reasons, unrelated to any protected characteristic, for doing so.

The Council will comply with its obligations in relation to statutory requests for contract variations. The Council will also make reasonable adjustments to its standard working practices to overcome barriers caused by disability.

EQUAL OPPORTUNITIES MONITORING

The Council will monitor the ethnic, gender and age composition of the existing workforce and of applicants for jobs (including promotion), and the number of people with disabilities within these groups and will consider and take any appropriate action to address any problems that may be identified as a result of the monitoring process.

The Council treats personal data collected for reviewing equality and diversity in accordance with the data protection policy. Information about how data is used and the basis for processing is provided in Chapter 9 of the Council's constitution.

DIGNITY AT WORK

The Council has a separate dignity at work statement concerning issues of bullying and harassment on any ground, and how complaints of this type will be dealt with. This can be found in the Staff Handbook, Chapter 4 of the Council's Constitution.

PEOPLE NOT EMPLOYED BY THE TOWN COUNCIL

The Council will not discriminate unlawfully against those using or seeking to use the services provided by the Council. You should report any bullying or harassment by suppliers, visitors or others to the Council who will take appropriate action.

TRAINING

The Council will provide training, where necessary, to raise awareness of equal opportunities to those likely to be involved in recruitment or other decision making where equal opportunities issues are likely to arise. The Council will offer training to raise awareness of all staff engaged to work at the council to help them understand their rights and responsibilities and what they can do to help create a working environment free of bullying and harassment.

The Council will provide additional training, where necessary, to managers to enable them to deal more effectively with complaints of bullying and harassment.

YOUR RESPONSIBILITIES

Every employee is required to assist the Council to meet its commitment to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as well as, or instead of, the Council for any act of unlawful discrimination.

Employees who commit serious acts of harassment may be guilty of a criminal offence. Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the Council's disciplinary procedure. Discrimination, harassment, bullying or victimisation may constitute gross misconduct and could lead to dismissal without notice.

GRIEVANCES

If you consider that you may have been unlawfully discriminated against, you should use the Council's grievance procedure to make a complaint. If your complaint involves bullying or harassment, the grievance procedure is modified as set out in the dignity at work statement in the Staff Handbook. The Council will take any complaint seriously and will seek to resolve any grievance that it upholds. You will not be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

POLICY REVIEW

The Council is committed to reviewing its policies and making improvements where possible. This policy will be monitored periodically by the council to judge its effectiveness and will be updated in accordance with changes in the law and in accordance with the results shown by the monitoring.

Reviewed: 3 May 2022



Seaton Town Council Constitution

Chapter 26 Investment Policy

Marshlands Centre, Harbour Road, Seaton EX12 2LT
01297 21388
townclerk@seaton.gov.uk

Investment Policy

1. Policy Background

- 1.1 Seaton Town Council's ('the Council') investment policy and its associated strategy are conducted in accordance with:
- i) The Local Government Act 2003 ('the Act') and supporting regulations. This requires the Council to prepare an Annual Investment Strategy which sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.
 - ii) The statutory guidance on local government investments (issued subsequent to the Act) which requires the production of an annual investment strategy and gives guidance on how this should be completed.
- 1.2 It is uncommon for a town council to hold investments other than in the form of easily accessible bank deposits or other short-term savings accounts. These are often used to maximise income from cash balances during the financial year.
- 1.3 The legislation and associated guidance is optional for parish councils where investments are not expected to exceed £500,000 and no action is required below £10,000. However, for councils where the sums involved exceed £500,000, the guidance is mandatory.

2. Definitions

- 2.1 **Investments** – all investments of more than 12 months in duration. This is treated as capital and all sums involved must be used for capital expenditure when the investment period ends.
- 2.2 **Treasury** – all cash deposits held in bank accounts which includes bonds of up to 12 months in duration.

3. Policy Objectives

- 3.1 The overriding policy objectives are:
- i) To invest prudently to ensure the security of the principal sums.
 - ii) To maintain liquidity in the portfolio to meet the Council's spending plans.
 - iii) To mitigate risk.
 - iv) To seek the optimum returns available whilst remaining consistent with the proper levels of security and liquidity.

4. Investment Policy

- 4.1 The Council will not hold funds other than in bank accounts or deposit bonds of 12 months or less in duration.
- 4.2 No investments will be made in stocks and shares

5. Treasury Policy

- 5.1 The Council will hold **all** its funds as cash deposits in banks accounts or bonds or with CCLA Public Sector Deposit Fund
- 5.2 A business account will be maintained with sufficient funds for day-to-day transactions and to receive the precept and business income.
- 5.3 Council approval is required if a deposit is with an institution with which the Council does not already hold an account. The Responsible Financial Officer ('the RFO') has delegated authority to deposit funds with any of the Council's existing bankers and report this back to the Council.
- 5.4 A procedure for making a deposit can be found in Appendix A

Appendix A

Procedure for Deposits

1. The RFO to identify an appropriate deposit account or short-term bond with a financial institution that fits with the council's treasury policy. Any bonds should be capital sum guaranteed.
2. Approval of the Council is sought if the deposit is with a financial institution not currently used by the Council.
3. The RFO actions the opening of the account and the setting up of the bank mandate for Members to sign, in accordance with the Council's Financial Regulations
4. The RFO actions the deposit/transfer of funds
5. The transfer/deposit is reported to the council
6. At the end of the fixed term the RFO has delegated authority to move the funds into another bond with the same financial institution or with another of the Council's bankers.

Procedure for Bank Transfers

1. Delegated authority is given to the RFO to make transfers between the accounts of the same bank without prior approval of the council.
2. Transfers between banks will follow normal payment procedure as detailed in the financial regulations
3. Details of all transfers to be provided to the Council with the monthly finance report.

Reviewd:3 May 2022

Annual Internal Audit Report 2021/22

ENTER AUTHORITY NAME Seaton Town Council AUTHORITY

ENTER PUBLICLY AVAILABLE WEBSITE OR WEBPAGE ADDRESS <https://seaton.gov.uk> WEBSITE ADDRESS

During the financial year ended 31 March 2022, this authority's internal auditor acting independently and on the basis of an assessment of risk, carried out a selective assessment of compliance with the relevant procedures and controls in operation and obtained appropriate evidence from the authority.

The internal audit for 2021/22 has been carried out in accordance with this authority's needs and planned coverage. On the basis of the findings in the areas examined, the internal audit conclusions are summarised in this table. Set out below are the objectives of internal control and alongside are the internal audit conclusions on whether, in all significant respects, the control objectives were being achieved throughout the financial year to a standard adequate to meet the needs of this authority.

Internal control objective	Yes	No*	Not covered**
A. Appropriate accounting records have been properly kept throughout the financial year.	✓		
B. This authority complied with its financial regulations, payments were supported by invoices, all expenditure was approved and VAT was appropriately accounted for.	✓		
C. This authority assessed the significant risks to achieving its objectives and reviewed the adequacy of arrangements to manage these.	✓		
D. The precept or rates requirement resulted from an adequate budgetary process; progress against the budget was regularly monitored; and reserves were appropriate.	✓		
E. Expected income was fully received, based on correct prices, properly recorded and promptly banked; and VAT was appropriately accounted for.	✓		
F. Petty cash payments were properly supported by receipts, all petty cash expenditure was approved and VAT appropriately accounted for.	✓		
G. Salaries to employees and allowances to members were paid in accordance with this authority's approvals, and PAYE and NI requirements were properly applied.	✓		
H. Asset and investments registers were complete and accurate and properly maintained.	✓		
I. Periodic bank account reconciliations were properly carried out during the year.	✓		
J. Accounting statements prepared during the year were prepared on the correct accounting basis (receipts and payments or income and expenditure), agreed to the cash book, supported by an adequate audit trail from underlying records and where appropriate debtors and creditors were properly recorded.	✓		
K. If the authority certified itself as exempt from a limited assurance review in 2020/21, it met the exemption criteria and correctly declared itself exempt. <i>(If the authority had a limited assurance review of its 2020/21 AGAR tick "not covered")</i>			✓
L. The authority publishes information on a free to access website/webpage up to date at the time of the internal audit in accordance with any relevant transparency code requirements			✓
M. The authority, during the previous year (2020-21) correctly provided for the period for the exercise of public rights as required by the Accounts and Audit Regulations <i>(evidenced by the notice published on the website and/or authority approved minutes confirming the dates set)</i> .	✓		
N. The authority has complied with the publication requirements for 2020/21 AGAR <i>(see AGAR Page 1 Guidance Notes)</i> .	✓		
O. (For local councils only) Trust funds (including charitable) – The council met its responsibilities as a trustee.	Yes	No	Not applicable
			✓

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

Date(s) internal audit undertaken

27/10/2021

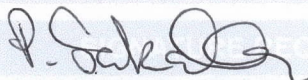
14/05/2021

DD/MM/YYYY

Name of person who carried out the internal audit

Paula Sakalla AAT - IAC Audit & Consultancy Ltd

Signature of person who carried out the internal audit



SIGNATURE REQUIRED

Date

14/04/2022

*If the response is 'no' please state the implications and action being taken to address any weakness in control identified (add separate sheets if needed).

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

The Clerk
Seaton Town Council
Marshlands Centre
Harbour Road
Seaton
Devon
EX12 2LT

14/04/2022

Explanation of "Not Covered" responses

Further to our Internal Audit of your Council for the financial year 2021/22 I am pleased to submit the signed Internal Report for your Annual Return. We have completed our work and I can confirm that we have not given a Negative response for any of the Internal Control Objectives.

You will note that we have given 'Not Covered' responses in respect of Control Objective K, L and O and we are required to explain why we have done this.

- *The reason for the "Not Covered" response for Objective K is that it is not applicable to your Council as the Council did not certify itself exempt from limited assurance review in 2020/21.*
- *The reason for the Not Covered response for Objective L is that it is not applicable to your Council as your 'annual turnover' exceeds £25,000.*
- *The reason for the Not Covered response for Objective O as it is our understanding that the Council does not act as Trustee.*

The External Auditor may query why we have responded 'Not Covered' and, if so, you should provide them with a copy of this letter.

Yours sincerely,



Kevin Rose ACMA
Director

Section 1 – Annual Governance Statement 2021/22

We acknowledge as the members of:

SEATON TOWN COUNCIL

our responsibility for ensuring that there is a sound system of internal control, including arrangements for the preparation of the Accounting Statements. We confirm, to the best of our knowledge and belief, with respect to the Accounting Statements for the year ended 31 March 2022, that:

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

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

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

03/05/2022

and recorded as minute reference:

MINUTE REFERENCE

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

Chairman

SIGNATURE REQUIRED

Clerk

SIGNATURE REQUIRED

www.seaton.gov.uk

ENTER PUBLICLY AVAILABLE WEBSITE/PAGE ADDRESS

SEATON TOWN COUNCIL

NOTICE OF PUBLIC RIGHTS AND PUBLICATION OF UNAUDITED ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN

ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2022

Local Audit and Accountability Act 2014 Sections 26 and 27
The Accounts and Audit Regulations 2015 (SI 2015/234)

NOTICE

1. Date of announcement Monday, 30 May 2022

2. Each year the smaller authority's Annual Governance and Accountability Return (AGAR) needs to be reviewed by an external auditor appointed by Smaller Authorities' Audit Appointments Ltd. The unaudited AGAR has been published with this notice. As it has yet to be reviewed by the appointed auditor, it is subject to change as a result of that review.

Any person interested has the right to inspect and make copies of the accounting records for the financial year to which the audit relates and all books, deeds, contracts, bills, vouchers, receipts and other documents relating to those records must be made available for inspection by any person interested.

For the year ended 31 March 2022, these documents will be available on reasonable notice by application to:

Town Clerk & Responsible Financial Officer, Marshlands Centre, Seaton, Devon EX12 2LT
Email: townclerk@seaton.gov.uk Tel: 01297 21388

commencing on Wednesday, 1 June 2022

and ending on Thursday, 14 July 2022

3. Local government electors and their representatives also have:

- The opportunity to question the appointed auditor about the accounting records; and
- The right to make an objection which concerns a matter in respect of which the appointed auditor could either make a public interest report or apply to the court for a declaration that an item of account is unlawful. Written notice of an objection must first be given to the auditor and a copy sent to the smaller authority.

The appointed auditor can be contacted at the address in paragraph 4 below for this purpose between the above dates only.

4. The smaller authority's AGAR is subject to review by the appointed auditor under the provisions of the Local Audit and Accountability Act 2014, the Accounts and Audit Regulations 2015 and the NAO's Code of Audit Practice 2015. The appointed auditor is:

PKF Littlejohn LLP (Ref: SBA Team)
15 Westferry Circus
Canary Wharf
London E14 4HD
(sba@pkf-l.com)

5. This announcement is made by Julia Mutlow - Town Clerk & Responsible Financial Officer

LOCAL AUTHORITY ACCOUNTS: A SUMMARY OF YOUR RIGHTS

Please note that this summary applies to all relevant smaller authorities, including local councils, internal drainage boards and 'other' smaller authorities.

The basic position

The [Local Audit and Accountability Act 2014](#) (the Act) governs the work of auditors appointed to smaller authorities. This summary explains the provisions contained in Sections 26 and 27 of the Act. The Act and the [Accounts and Audit Regulations 2015](#) also cover the duties, responsibilities and rights of smaller authorities, other organisations and the public concerning the accounts being audited.

As a local elector, or an interested person, you have certain legal rights in respect of the accounting records of smaller authorities. As an interested person you can inspect accounting records and related documents. If you are a local government elector for the area to which the accounts relate you can also ask questions about the accounts and object to them. You do not have to pay directly for exercising your rights. However, any resulting costs incurred by the smaller authority form part of its running costs. Therefore, indirectly, local residents pay for the cost of you exercising your rights through their council tax.

The right to inspect the accounting records

Any interested person can inspect the accounting records, which includes but is not limited to local electors. You can inspect the accounting records for the financial year to which the audit relates and all books, deeds, contracts, bills, vouchers, receipts and other documents relating to those records. You can copy all, or part, of these records or documents. Your inspection must be about the accounts, or relate to an item in the accounts. You cannot, for example, inspect or copy documents unrelated to the accounts, or that include personal information (Section 26 (6) – (10) of the Act explains what is meant by personal information). You cannot inspect information which is protected by commercial confidentiality. This is information which would prejudice commercial confidentiality if it was released to the public and there is not, set against this, a very strong reason in the public interest why it should nevertheless be disclosed.

When smaller authorities have finished preparing accounts for the financial year and approved them, they must publish them (including on a website). There must be a 30-working day period, called the 'period for the exercise of public rights', during which you can exercise your statutory right to inspect the accounting records. Smaller authorities must tell the public, including advertising this on their website, that the accounting records and related documents are available to inspect. By arrangement you will then have 30 working days to inspect and make copies of the accounting records. You may have to pay a copying charge. The 30-working day period must include a common period of inspection during which all smaller authorities' accounting records are available to inspect. This will be 1-14 July 2022 for 2021/22 accounts. The advertisement must set out the dates of the period for the exercise of public rights, how you can communicate to the smaller authority that you wish to inspect the accounting records and related documents, the name and address of the auditor, and the relevant legislation that governs the inspection of accounts and objections.

The right to ask the auditor questions about the accounting records

You should first ask your smaller authority about the accounting records, since they hold all the details. If you are a local elector, your right to ask questions of the external auditor is enshrined in law. However, while the auditor will answer your questions where possible, they are not always obliged to do so. For example, the question might be better answered by another organisation, require investigation beyond the auditor's remit, or involve disproportionate cost (which is borne by the local taxpayer). Give your smaller authority the opportunity first to explain anything in the accounting records that you are unsure about. If you are not satisfied with their explanation, you can question the external auditor about the accounting records.

The law limits the time available for you formally to ask questions. This must be done in the period for the exercise of public rights, so let the external auditor know your concern as soon as possible. The

advertisement or notice that tells you the accounting records are available to inspect will also give the period for the exercise of public rights during which you may ask the auditor questions, which here means formally asking questions under the Act. You can ask someone to represent you when asking the external auditor questions.

Before you ask the external auditor any questions, inspect the accounting records fully, so you know what they contain. Please remember that you cannot formally ask questions, under the Act, after the end of the period for the exercise of public rights. You may ask your smaller authority other questions about their accounts for any year, at any time. But these are not questions under the Act.

You can ask the external auditor questions about an item in the accounting records for the financial year being audited. However, your right to ask the external auditor questions is limited. The external auditor can only answer 'what' questions, not 'why' questions. The external auditor cannot answer questions about policies, finances, procedures or anything else unless it is directly relevant to an item in the accounting records. Remember that your questions must always be about facts, not opinions. To avoid misunderstanding, we recommend that you always put your questions in writing.

The right to make objections at audit

You have inspected the accounting records and asked your questions of the smaller authority. Now you may wish to object to the accounts on the basis that an item in them is in your view unlawful or there are matters of wider concern arising from the smaller authority's finances. A local government elector can ask the external auditor to apply to the High Court for a declaration that an item of account is unlawful, or to issue a report on matters which are in the public interest. You must tell the external auditor which specific item in the accounts you object to and why you think the item is unlawful, or why you think that a public interest report should be made about it. You must provide the external auditor with the evidence you have to support your objection. Disagreeing with income or spending does not make it unlawful. To object to the accounts you must write to the external auditor stating you want to make an objection, including the information and evidence below and you must send a copy to the smaller authority. The notice must include:

- confirmation that you are an elector in the smaller authority's area;
- why you are objecting to the accounts and the facts on which you rely;
- details of any item in the accounts that you think is unlawful; and
- details of any matter about which you think the external auditor should make a public interest report.

Other than it must be in writing, there is no set format for objecting. You can only ask the external auditor to act within the powers available under the [Local Audit and Accountability Act 2014](#).

A final word

You may not use this 'right to object' to make a personal complaint or claim against your smaller authority. You should take such complaints to your local Citizens' Advice Bureau, local Law Centre or to your solicitor. Smaller authorities, and so local taxpayers, meet the costs of dealing with questions and objections. In deciding whether to take your objection forward, one of a series of factors the auditor must take into account is the cost that will be involved, they will only continue with the objection if it is in the public interest to do so. They may also decide not to consider an objection if they think that it is frivolous or vexatious, or if it repeats an objection already considered. If you appeal to the courts against an auditor's decision not to apply to the courts for a declaration that an item of account is unlawful, you will have to pay for the action yourself.

For more detailed guidance on public rights and the special powers of auditors, copies of the publication Local authority accounts: A guide to your rights are available from the NAO website.	If you wish to contact your authority's appointed external auditor please write to the address in paragraph 4 of the <i>Notice of Public Rights and Publication of Unaudited Annual Governance & Accountability Return</i> .
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Section 2 – Accounting Statements 2021/22 for

SEATON TOWN COUNCIL

	Year ending		Notes and guidance
	31 March 2021 £	31 March 2022 £	
			<i>Please round all figures to nearest £1. Do not leave any boxes blank and report £0 or Nil balances. All figures must agree to underlying financial records.</i>
1. Balances brought forward	248,530	292,542	<i>Total balances and reserves at the beginning of the year as recorded in the financial records. Value must agree to Box 7 of previous year.</i>
2. (+) Precept or Rates and Levies	337,982	356,939	<i>Total amount of precept (or for IDBs rates and levies) received or receivable in the year. Exclude any grants received.</i>
3. (+) Total other receipts	26,439	43,339	<i>Total income or receipts as recorded in the cashbook less the precept or rates/levies received (line 2). Include any grants received.</i>
4. (-) Staff costs	134,500	150,374	<i>Total expenditure or payments made to and on behalf of all employees. Include gross salaries and wages, employers NI contributions, employers pension contributions, gratuities and severance payments.</i>
5. (-) Loan interest/capital repayments	0	0	<i>Total expenditure or payments of capital and interest made during the year on the authority's borrowings (if any).</i>
6. (-) All other payments	185,909	185,863	<i>Total expenditure or payments as recorded in the cashbook less staff costs (line 4) and loan interest/capital repayments (line 5).</i>
7. (=) Balances carried forward	292,542	356,583	<i>Total balances and reserves at the end of the year. Must equal (1+2+3) - (4+5+6).</i>
8. Total value of cash and short term investments	290,854	349,933	<i>The sum of all current and deposit bank accounts, cash holdings and short term investments held as at 31 March – To agree with bank reconciliation.</i>
9. Total fixed assets plus long term investments and assets	347,098	353,437	<i>The value of all the property the authority owns – it is made up of all its fixed assets and long term investments as at 31 March.</i>
10. Total borrowings	0	0	<i>The outstanding capital balance as at 31 March of all loans from third parties (including PWLB).</i>
11. (For Local Councils Only) Disclosure note re Trust funds (including charitable)	Yes	No	N/A
			✓
			<i>The Council, as a body corporate, acts as sole trustee for and is responsible for managing Trust funds or assets.</i>
			<i>N.B. The figures in the accounting statements above do not include any Trust transactions.</i>

I certify that for the year ended 31 March 2022 the Accounting Statements in this Annual Governance and Accountability Return have been prepared on either a receipts and payments or income and expenditure basis following the guidance in Governance and Accountability for Smaller Authorities – a Practitioners' Guide to Proper Practices and present fairly the financial position of this authority.

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

Julie P. Mutton

Date

26/04/2022

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

03/05/2022

as recorded in minute reference:

MINUTE REFERENCE

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

SIGNATURE REQUIRED

Explanation of variances – pro forma

Name of smaller authority: [REDACTED]

County area (local councils and parish meetings only): [REDACTED]

Insert figures from Section 2 of the AGAR in all Blue highlighted boxes

Next, please provide full explanations, including numerical values, for the following that will be flagged in the green boxes where relevant:

- variances of more than 15% between totals for individual boxes (except variances of less than £200);
- **New from 2020/21 onwards:** variances of £100,000 or more require explanation regardless of the % variation year on year;
- a breakdown of approved reserves on the next tab if the total reserves (Box 7) figure is more than twice the annual precept/rates & levies value (Box 2).

	2020/21 £	2021/22 £	Variance £	Variance %	Explanation Required?	Automatic responses trigger below based on figures input, DO NOT OVERWRITE THESE BOXES	Explanation from smaller authority (<u>must include narrative and supporting figures</u>)
1 Balances Brought Forward	248,530	292,542				Explanation of % variance from PY opening balance not required - Balance brought forward agrees	
2 Precept or Rates and Levies	337,982	356,939	18,957	5.61%	NO		
3 Total Other Receipts	26,439	43,339	16,900	63.92%	YES		The Council's overall 'Other receipts' for 2021/22 increased by £16,900 over the previous year. In 2021/22 the Council received an additional £13,279 in grants, over and above the £6,070 received in 2020/21 therefore this provides a partial explanation for the variance. It also received £3,613 in fees for the rental of the community function room which had not been utilised in 2020/21 due to lock down restrictions. Whilst there are other small variations in the different budget lines, this explains the reason for the substantive variances.
4 Staff Costs	134,500	150,374	15,874	11.80%	NO		
5 Loan Interest/Capital Repayment	0	0	0	0.00%	NO		
6 All Other Payments	185,909	185,863	-46	0.02%	NO		
7 Balances Carried Forward	292,542	356,583			NO	VARIANCE EXPLANATION NOT REQUIRED	
8 Total Cash and Short Term Investments	290,854	349,933				VARIANCE EXPLANATION NOT REQUIRED	
9 Total Fixed Assets plus Other Long Term Investments and	347,098	353,437	6,339	1.83%	NO		
10 Total Borrowings	0		0	0.00%	NO		

Rounding errors of up to £2 are tolerable

Variances of £200 or less are tolerable

SEATON TOWN COUNCIL (‘the Council’)	
Date of report	22nd April 2022
Item of business	22 COU 17
Details	Update report on Community Celebration for Platinum Jubilee
Purpose of Report	To provide a progress update for the planned event on Thursday, 2 June 2022 to commemorate the Queen’s Platinum Jubilee to include preparation of risk assessments and an update on quotations sought for event insurance and provision of a shuttlebus service.
Power/authority	Local Government Act 1972, s145 – power to provide entertainment
Recommendations	<p>It is RECOMMENDED that Members:</p> <ul style="list-style-type: none"> • approve quotation 2 for event insurance cover • approve quotation of £650.00 received from Supplier 1 to provide a shuttlebus service to and from Cliff Field Gardens on 2nd June between 3.30pm and 10.30pm. • approve the risk assessment attached to this report as Appendix A and delegate authority to the Town Clerk to sign, on behalf of the Council, the fire risk assessment, emergency evacuation procedures and beacon lighting risk assessment once finalised • subject to a suitable voucher system being formulated, agree to fund one free ice cream for each attendee under 18, subject to a maximum cost of £1,000

1. Introduction

At a meeting of the Council on 7th February 2022, Members resolved to approve the updated proposal for a Platinum Jubilee Even to be held on 2nd June 2022 in Cliff Field Gardens from 4pm to 10pm and to delegate to the Town Clerk the powers to take such action and allocate such expenditure, within the approved events budget for 2022/23, to a maximum of £8,000, as considered necessary to deliver the event in the terms proposed.

2. Progress Update

Planning for this event is now well underway and a summary of progress to date is as follows:

Funding: Following a successful bid for National Lottery Community Funding, the council has been awarded the amount of £5,514 towards the costs of infrastructure and entertainment.

Infrastructure: Officers have secured the provision of portaloos from Event Hire Solutions Ltd, waste bins and recycling units from Coastal UK and stage barriers from Jewsons. In order to assist with access to Cliff Field Gardens, officers have also researched the provision of a free shuttlebus service for the duration of the event, the costs of which are detailed later in this report. Rapid Emergency Medical Services will provide a first aid tent and equipment on the day staffed by a paramedic and a first responder.

Entertainment: Bookings have been made for laser pigeon shooting and a circus skills workshop, 4 live music acts including a headliner patriotic act. Provision of a small stage, PA system and lighting has been secured. In addition, a vintage ice cream van will be onsite to provide ice cream.

Community Groups: The Town Clerk and Deputy Clerk have attended 2 meetings with local community groups at which it was agreed that:

- Seaton Lions will provide a popcorn stand and coconut shy
- Seaton Christians Together will offer tea and coffee and a children's crown decorating activity
- Royal British Legion will offer a Splat the Rat game.
- Save Food Hub will run a pop-up stall
- Women's Institute will offer traditional tabletop games
- Seaton Majorettes will provide a tombola stall and a 20-minute Majorettes display in front of the stage at 5.20pm

All of the above activities will be offered free of charge, with the public able to make a donation, should they so wish. A decision on how voluntary donations will be used will be made when officers meet again with the community groups at a meeting on 27th April.

Ceremonial Lighting of the Beacon: In line with national guidance, this will take place at 9.45pm. Axe Vale Singers have agreed to sing the song especially written for the ceremony and it is hoped that officers will be able to secure the services of a bagpiper to play Diu Regnare at 9.35pm and a bugler to play Majesty at 9.40pm. Ted Gosling, curator of the Museum, has agreed to light the beacon on behalf of the town.

Publicity: Cllr Steven intends to finalise the poster and banner design by the end of April. Posters will be distributed throughout the town and it is anticipated that local businesses may display them and that community groups involved with the event will arrange to distribute them. Cllr Steven is preparing a press release for local media and the BBC has also requested details of the event. Officers will also make use of various social media platforms to promulgate event information.

Health and Safety: Officers have drafted a site plan and completed comprehensive risk assessments, details of which are provided later in this report and require Members' approval.

Volunteer Stewards: Consideration still needs to be given to the availability of volunteer stewards. All officers have kindly offered to work on the Bank Holiday and will take time off in lieu. However, volunteer stewards will be required to ensure the smooth running of the event. To date, 4 councillors plus two others have volunteered to assist.

3. Cancellation Insurance

Quotations have been sought from the Council's insurers, to offset the Council's costs, should the event have to be cancelled and for cover to equipment:

Quotation 1 includes cover due to cancellation in the event of adverse weather
£1,972.66

This includes £10M public liability cover and would cover all anticipated cancellation charges on planned expenses that the Council would incur should the event not proceed due to bad weather. Cancellation charges will equate to approximately £2,500. Members should note that, in the event of cancellation, the Council would not be able to claim back the cost of the insurance premium as this is not deemed to be an expense as it is payment for insurance to cover the risk of loss.

Quotation 2 excludes adverse weather cancellation, but covers loss and damage to equipment away from the Council's buildings
£392.00

This also includes the Council's existing £10M public liability cover.

Consideration will need to be given to whether adverse weather insurance is warranted given that the potential cancellation charges are £500 higher than the insurance premium for this risk.

It is likely that the National Lottery grant will have to be repaid, should the event be cancelled.

However, in light of the high cost of insurance (to include adverse weather), it is proposed that only the lower premium is taken out to cover equipment.

4. Shuttlebus Service

When Members met informally to discuss the Jubilee event, it was suggested that consideration be given to offering a free shuttlebus service between a central location and Cliff Field Gardens in order to mitigate the risk of the event venue presenting as a barrier to some to attend. Officers have sought quotations from 3 coach providers.

Supplier 1 – to provide a 25 seat minibus from 3.30pm to 10.30pm between Seaton Jurassic / Seaton Tramway to Cliff Field Gardens **£650.00**

Supplier 2 – has not responded to 2 requests for a quotation.

Supplier 3 – has confirmed that it is not able to provide this service due to 2nd June being a bank holiday.

5. Risk Assessments

In line with insurance requirements, the following risk assessments have been completed and are attached to this report as follows:

Appendix A - Event Risk Assessment

Appendix B – Draft Fire Risk Assessment. Advice has been sought from Devon and Somerset Fire service to assist with the completion of this document. The recommendation was to purchase an annual subscription to the Purple Guide, considered to be gold standard advice for event organisation. This risk assessment has been drafted in line with this guidance and awaits a review from the Council's contracted fire safety company.

Appendix C – Draft Emergency Evacuation Procedures, as above, this has been drafted in line with Purple Guide guidance and awaits approval from the Council's contracted fire safety company.

Appendix D – Draft Beacon Lighting Risk Assessment, as above, this has been drafted in line with Purple Guide guidance and awaits approval from the Council’s contracted fire safety company.

It is a requirement that these risk assessments are approved by the Council.

6. Ice cream

The Council has secured the attendance of Devon Vintage Ice (DVI) at a nominal cost of £50. DVI will supply ice cream and charge it to individual customers. However, there is the option for the Council to fund the ice cream at a cost of £2 per item. In light of the successful application for National Lottery Funding, this has relieved pressure on the Council’s budget for the event. As such Members are asked to consider whether they wish to provide one free ice cream to each child attending up to a maximum of 500 items (Cost £1,000). Should Members decide to approve this recommendation then officers will devise a voucher system (one per child to be allocated on entry to the site).

RECOMMENDATION

It is **RECOMMENDED** that Members:

- approve quotation 2 for event insurance cover
- approve quotation of £650.00 received from Supplier 1 to provide a shuttlebus service to and from Cliff Field Gardens on 2nd June between 3.30pm and 10.30pm.
- approve the risk assessment attached to this report as Appendix A and delegate authority to the Town Clerk to sign, on behalf of the Council, the fire risk assessment, emergency evacuation procedures and beacon lighting risk assessment once finalised.
- subject to a suitable voucher system being formulated, agree to fund one free ice cream for each attendee under 18, subject to a maximum cost of £1,000

SEATON TOWN COUNCIL (‘the Council’)	
Date of report	3 May 2022
Item of business	22 COU 18
Details	Town Clerk’s Summary
Purpose of Report	To provide an update of the highlights of ongoing work of Seaton Town Council
Recommendations	It is RECOMMENDED that Members note the summary and work log.

1. Introduction

As in previous months, Members are referred to the work log, detailing all completed projects and ongoing work and projects currently being undertaken by the Council’s officers and the status of each. To assist Members, a summary has been provided below of matters to note since the last meeting. This is, of course, is over and above the general day-to-day operational work being carried out to manage the Council’s assets.

2. Summary of matters to note

- **Tourist Information Centre** – the new TIC at Marshlands was opened in early April and received a positive response from all those who attended. It officially opened to the public on 11 April. At the time of writing, it has been open to the public on 12 days and assisted 120 members of the public, mostly in person.
- **Annual Town Meeting** – this was held on 7 April and the Mayor delivered a power point of all the Council’s achievements in the preceding municipal year
- **Volunteer Policy** – this has been publicised and we await hearing from perspective volunteers.
- **Year-end 2021-22** – the Town Clerk has completed the financial year-end close down with Rialtas and then the internal audit and the report and annual return and accounting statements is presented to Council at this meeting. The internal auditor raised no observations whatsoever, giving the Council’s finances a completely clear report.
- **Allotments** – the 105 annual invoices have now been sent out along with the new allotment rules. The Facilities & Projects Officer and Admin Officer are arranging Spring inspection

- **Jubilee Celebration** – the work on this event is progressing well, with various entertainment acts now secured. Liaison is ongoing with community groups who have agreed to support the event and work is currently being undertaken to ensure that comprehensive health and safety risk assessments are completed in line with event insurance requirements. Promotional materials are being finalised and the services of volunteer stewards are being sought. A comprehensive update will be provided as a separate agenda item.
- **Summer Weekend First Aid Station** – Re:store have generously provided funding of £1350 towards the cost of this service. Temporary signage is being produced and publicity materials prepared.
- **Beach Clean Station** – a licence has been provided by EDDC for this to be sited at Fisherman's Gap. This will be launched mid-May once logistics regarding storage and daily putting out have been finalised.
- **Outdoor Cinema** – this is being planned, with the help of Andrew Gwynn Davies and will take place on Saturday, 10 September in Cliff Field Gardens.
- **Jurassic Fibre** – the negotiations over the licence have been finalised and it is about to be executed.

RECOMMENDATIONS

It is **RECOMMENDED** that Members note the summary and work log.

JUBILEE BEACON LIGHTING
RISK ASSESSMENT



What are the hazards?	Who might be harmed	Risk Rating before control measures			Control Requirements	Risk Rating after control measures			Actioned by who
		Severity 1-3	Likelihood 1-3	RISK RATE		Severity 1-3	Likelihood 1-3	RISK RATE	
Integrity of beacon structure: risk of toppling whilst lighting or whilst lit	Members of the public, volunteers, person lighting the beacon	3	2	6	<ul style="list-style-type: none"> • Verify beacon structure is sound and no visible deterioration • Ground anchor to be used • Beacon to be secured with webbing straps, rope, or sandbags • Gas bottle to be a minimum of 2 metres from beacon structure • Dry powder fire extinguisher to be close by for the duration of the beacon lighting ceremony • One final check of the beacon to be made just prior to its lighting 	3	1	3	STC
Lighting of the beacon: risk of injury / burns	Person lighting the beacon, volunteers, members of the public	3	2	6	<ul style="list-style-type: none"> • One person to light the ignition and one person to control the gas cylinder • Person lighting the beacon to use ignition wand supplied with beacon • One person available with dry powder fire extinguisher • Beacon to be roped off using fluorescent flagged rope and members of the public kept at a minimum of 3 metres distance 	3	1	3	STC

					<ul style="list-style-type: none"> • First Aid service available onsite for the duration of the event 				
Gas Leaks: risk of injury / burns caused by gas explosion	Members of the public, volunteers, stall holders, contracted service providers, music acts, persons lighting the beacon	3	2	6	<ul style="list-style-type: none"> • A leak detecting fluid to be used to check all connections are free from gas leaks • An area of 9m² to be cordoned off around the beacon structure • Members of the public to be advised to keep their distance via the PA system • Dry powder fire extinguisher to be close by for the duration of the beacon lighting ceremony • First Aid service available onsite for the duration of the event 	3	1	3	STC

Completing the risk assessment:

For each hazard that you can identify, you must assess the likelihood of the risk occurring and the impact it would have if it did occur. Score both items on a scale from 1 to 3 (3 being highest) and multiply the two together to get a Risk Rate.

Then identify steps that can be taken to reduce or remove the risk. Does the mitigation give a significantly lower risk score? If not, what further mitigation must be put into place to bring the Risk Rate to an acceptable level? If the risk remains “Intolerable” or “Substantial,” what can you do to remove that activity or area of risk completely?

		Severity/Consequence		
		Slightly harmful (1)	Harmful (2)	Extremely harmful (3)
Likelihood	Highly unlikely (1)	Trivial risk (Score 1)	Tolerable risk (Score 2)	Moderate risk (Score 3)
	Unlikely (2)	Tolerable risk (Score 2)	Moderate risk (Score 4)	Substantial risk (Score 6)
	Likely (3)	Moderate risk (Score 3)	Substantial risk (Score 6)	Intolerable risk (Score 9)

Signature:	Date:
Name:	
Position at Seaton Town Council:	

EMERGENCY EVACUATION PROCEDURE FOR QUEEN'S PLATINUM JUBILEE EVENT – CLIFF FIELD GARDENS

On discovery of a fire or other emergency call **07599081854**

1. The Town Council's Facilities and Projects Officer will call local Fire Service on 999 and confirm location as Cliff Field Gardens, Seaton, EX12 2QB
2. The Town Council's Deputy Clerk will announce via PA system asking everyone to vacate the site in a safe and orderly manner
3. Volunteer stewards to assist with the evacuation of the site as quickly as possible

EVACUATION ROUTES:

- Pedestrian gate at south/east end of gardens leading to Castle Hill
- Pedestrian gate north/west side leading onto path and then either to the Chine or onto Beer Road
- The vehicle gate located at southwest of the gardens can be used if necessary

FIRE FIGHTING EQUIPMENT (to be used only if trained to do so):

- A dry powder extinguisher will be kept next to the Stage
- A dry powder extinguisher will be kept next to the Medical Point



Queen's Platinum Jubilee Event Cliff Field Gardens FIRE RISK ASSESSMENT

The purpose of this report is to provide an assessment of risk to life from fire at this event and to identify the necessary actions to ensure compliance with fire safety legislation. The report does not address the risk to property or business continuity from fire.

Premises details

Name: Cliff Field Gardens

Address: Seaton EX12 2QB

Phone number: 01297 21388

Use: Public Gardens

Responsible person (owner/employer/person in control of premises):

Seaton Town Council, Marshlands Centre, Harbour Road, Seaton EX12 2LT

Fire safety guidance used for this assessment:

HM Government Fire Safety Risk Assessment Open Air Events and Venues

The Purple Guide – Chapter 10 Fire Safety

Date of risk assessment: 20th April 2022

Date for review:

1. Risk Assessor's details

The fire risk assessment should be carried out by someone with an appropriate level of knowledge and understanding of fire safety.

Name: Jo Hemery / Paul Johns

Email address: deputyclerk@seaton.gov.uk / facilities@seaton.gov.uk

Phone number: 01297 21388

Experience and qualifications:

Jo Hemery – Fire Safety Training December 2020

Paul Johns - to update Fire Safety Training

Name of anyone consulted by the fire risk assessor:

Devon and Somerset Fire & Rescue Service Helpdesk

2. Information about the premises

Relevant fire safety legislation

The Regulatory Reform (Fire Safety) Order 2005

This legislation is enforced by:

Seaton Fire Service – Harepath Road, Seaton, EX12 2AA

Devon & Somerset Fire & Rescue Service – Clyst St George, Exeter EX3 0NW

General description of premises

Cliff Field Gardens is situated between Castle Hill and Beer Road overlooking West Walk. Pedestrian access is via Castle Hill, the Chine and a footpath leading from Beer Road.

The Gardens are public gardens, no dogs permitted

Occupancy details

- Time premises are in use:
24 hours a day, all year round. The event will take place from 4pm to 10pm on Thursday 2nd June 2022
- Maximum number of staff in the premises at any one time:
For the duration of the event - 5 Seaton Town Council employees, up to 6 Councillors and up to 6 volunteers
- Total number of people who may be in the premises at any one time (e.g. staff and customers):
Cliff Field Gardens is open to the public all year round and there is no capacity limit. For the purposes of the event, capacity has been calculated as follows:

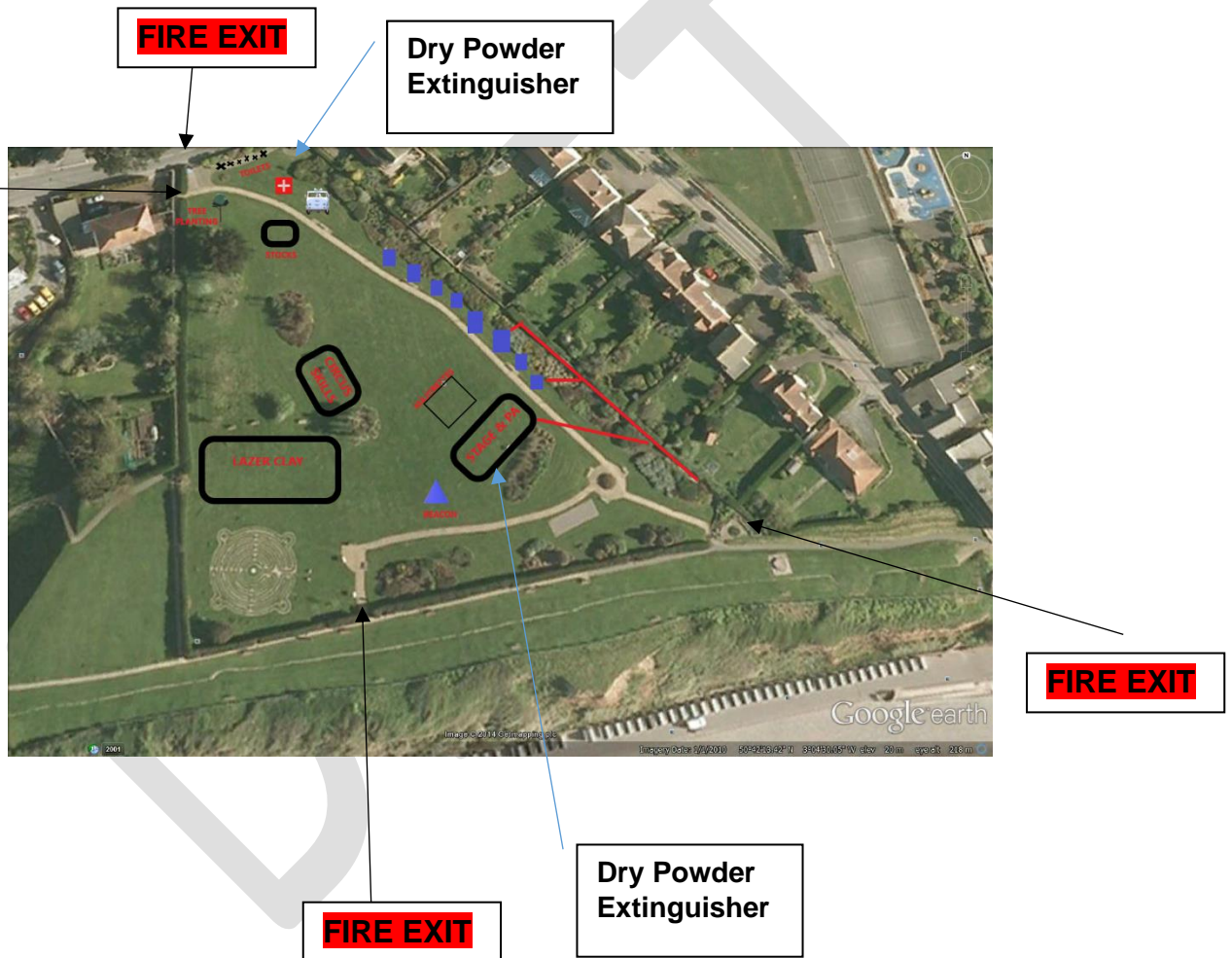
17 representatives of Seaton Town Council
50 third party activity / entertainment providers
2000 members of the public

People especially at risk

Identify and specify the location of people (staff/visitors/customers) at significant risk in case of fire. Outline why they are at risk, and what controls are (or need to be) in place.

- Babies / small children
- People with limited mobility

3. Plan of premises drawing



4. Fire hazards and the action taken to remove them or reduce the risk

Source of ignition

- Electrical cables
- Electrical equipment including generators
- Disposable barbeques
- Camping stoves
- Smoking

Comments:

Detail what steps you've taken to reduce the risk or remove the hazard:

- All electrical equipment must carry a current PAT certificate
- Generators must comply with BS 7430 and will not be accessible to the public
- Disposable barbeques and camping stoves will not be permitted at the event
- People will be asked to extinguish their cigarettes safely

Action required:

Detail what you need to do if you haven't removed or reduced the risk.

- Will ensure that the generator provided is checked regularly throughout the event for safe operation and that those responsible for refuelling have received basic training on how to refuel safely, deal with spillages and what to do in event of a fire.
- The site will be monitored throughout the event to ensure that camping stoves and disposable barbeques are not being used.
- The power supply will be limited to the Stage and Popcorn stand only to ensure it does not exceed its maximum 50A load.

Source of fuel and storage of combustible materials

- Waste disposal bins
- Vehicles onsite
- Gazebos
- Picnic blankets / chairs
- Gas bottle

Comments:

- Dry powder extinguishers will be kept by the stage and the Medical Point.
- All participants using electrical equipment must complete and submit their own risk assessment
- All activity providers will be provided with copies of the fire risk assessment and event risk assessment

Action needed:

The site will be monitored throughout the event to avoid a build up of combustible waste materials.

Structural features that could promote the spread of fire

- Surrounding hedgerows and trees
- Flowerbeds
- Gazebos

Comments:

Volunteer Stewards will patrol the site regularly and ensure any potential fire hazards are dealt with immediately

Action needed:

N/A

5. Fire protection measures**a. Means of escape – horizontal evacuation**

You should consider how people reach a total place of safety (e.g. not an enclosed yard).

- Emergency evacuation plan created
- Emergency evacuation procedures to be announced at regular intervals via PA system
- Clear signage at all 3 emergency exits

EVACUATION ROUTES:

- Pedestrian gate at south/east end of gardens leading to Castle Hill
- Vehicle gate at south/west end of gardens leading to the Chine
- Pedestrian gate north/west side leading onto path and then either to the Chine or onto Beer Road

Comments:

Event site deemed to be “normal” risk with a maximum evacuation time of 7.5 minutes.

Exit flow rate is 109 people/ metre / minute

If occupancy is 2000 members of the public, 50 activity / entertainment providers and 17 Seaton Town Council representatives:

Exit width required = $2067 / 109 / 7.5 = 2.52$ metres

3 exits required.

Action needed:

N/A

c. Measures to limit fire spread and development – fire-resisting structures**Comments:**

- Ensure adequate distance between gazebos – preferably 6 metres.
- Ensure sufficient waste bins to prevent build up of litter.
- Ensure site is kept free of litter and debris

Action needed:

N/A

e. Fire safety signs and notices

- Clear signs will be attached to all exits to the site
- Volunteer stewards will assist with any emergency evacuation
- Babies, those with young children and those with limited mobility will be assisted to evacuate the site safely and quickly

Comments:

- All exits will be kept free from obstructions, slip or trip hazards at all times.
- Each exit will be manned by a volunteer steward
- Exits will be left unlocked
- Access for emergency vehicle will be via vehicle gate leading onto Beer Road

Action needed:

N/A

f. Fire warning system

- The alert to evacuate the site will be made via the PA system
- Should the PA system be unavailable, all volunteer stewards will assist in sounding the alert

Comments:

N/A

Action needed:

N/A

g. Firefighting equipment

2 dry powder extinguishers, suitable for fighting most fires, will be located at the Medical Point and by the stage.

Comments:

N/A

Action needed:

N/A

h. Other fire safety systems

A water tap is located to the north of the gardens next to the vehicle entrance gate leading onto Beer Road

Comments:

N/A

Action needed:

N/A

6. Management – procedures and arrangements

Fire safety is managed by:

Seaton Town Council

The following competent person(s) are appointed to assist: (also include any external contractors such as fire alarm engineer etc.)

Ben Waring – Safeguard Fire Safety

Fire safety policy arrangements recorded

Does the policy detail who has overall responsibility for fire safety?

It should include:

- those nominated to carry out specific tasks
- the arrangements for managing fire safety e.g. procedures to monitor and review the fire safety measures which have been put in place etc.

Comments:

Action needed:

Procedures in the event of fire

On discovery of a fire or other emergency call 07599081854

- The Town Council's Facilities and Projects Officer will call local Fire Service on 999 and confirm location as Cliff Field Gardens, Seaton, EX12 2QB
- The Town Council's Deputy Clerk will announce via PA system asking everyone to vacate the site in a safe and orderly manner
- Volunteer stewards to assist with the evacuation of the site as quickly as possible.

Comments:

N/A

Action needed:

N/A

Method for calling the fire service

- The Town Council's Facilities and Projects Officer will call local Fire Service on 999 and confirm location as Cliff Field Gardens, Seaton, EX12 2QB

Comments:

N/A

Action needed:

N/A

Facilities and information for the fire and rescue service

You should detail all the things that will help the fire service in the event of a fire. These could include the facilities you have available on site and having information readily available.

Facilities

- Vehicle access via Beer Road
- Water supply available next to vehicle gate leading onto Beer Road
- 2 dry powder extinguishers onsite

Information to have ready for the fire service

- Premises plans.
- Details on the location and type of hazardous materials.
- Is everyone accounted for?
- Location of shutoff switches (gas, electric, water, etc.).
- Smoke extraction systems, suppression systems (including gas discharge systems).
- Salvage plans

Comments:

N/A

Action needed:

N/A

Premises emergency action plan

You should include what to do on discovering a fire, on hearing the alarm, details for assembly points, duties and identity of staff with specific responsibilities, any other specific procedures.

Comments:

Separate emergency evacuation plan available.

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7. Management – training

Employee induction fire safety

Consider the information provided and the arrangements in place for new staff (including temporary and agency staff)

Comments:

- All staff, councillors and volunteers will be briefed on the emergency evacuation plan, the importance of fire prevention measures, the location of fire fighting equipment, restrictions on use of camping stoves and disposable barbeques, location of exit routes
- Nominated fire marshalls will have completed training and will be briefed on assisting people to leave the venue, checking designated areas (such as toilets), liaising with the fire service on arrival, using fire fighting equipment if safe to do so, shutting down potentially dangerous equipment

Action needed:

N/A

Regular fire safety training for employees

Consider the information provided and the arrangements in place. Is the extent and frequency of training adequate? Have part-time and shift workers been considered?

Comments:

Action needed:

Additional training for special responsibilities

Consider the information provided and the arrangements in place. Is the extent and frequency of training adequate? Are the number of nominated staff sufficient to cover annual leave, shift patterns etc.?

(E.g. Fire Warden, assisting with evacuation)

Comments:

Action needed:

Fire drills

Consider the frequency and when they are carried out. Does the drill enable adequate evaluation of the fire safety provisions, emergency plan and the training given? I.e. what went well, what didn't work

Comments:

Fire drill to take place prior the event?

Action needed:

Sharing information with employees of outside organisations

Consider how and what information is provided e.g. emergency action plan, procedures for fighting a fire and the identity of nominated persons etc.

Comments:

- All activity and entertainment providers will receive a copy of the fire risk assessment and emergency evacuation procedure by email prior to the event.
- Appointed fire marshal with check with all on the day that this has been received and evacuation procedure understood prior to the event commencing.

Action needed:

N/A

8. Management – maintenance and testing

Is there a maintenance programme for the fire protection measures in the premises by appropriate competent person(s)?

Yes No

Comments:

All extinguishers are inspected on an annual basis by a third party fire safety specialist.

Action needed:

N/A

Are regular checks of escape routes (including external) and exit doors carried out?

Yes No

Frequency: These will be monitored by volunteer stewards throughout the event.

Observations:

Action needed:

N/A

Are regular checks of fire safety signs carried out?

Yes No

Frequency: These will be monitored by volunteer stewards throughout the event.

Observations:

Action needed:

N/A

9. Fire risk assessment

Taking into account the fire prevention measures observed at the time of this risk assessment, it is the opinion of the Fire Risk Assessor that the hazard from fire (likelihood of fire) at these premises is:

Low Medium High

Taking into account the nature of the premises and the occupants, as well as the fire protection and procedural arrangements observed at the time of this fire risk assessment, it is the opinion of the Fire Risk Assessor that the severity for life safety in the event of fire would be:

Slight harm Moderate harm Extreme harm

Accordingly, it is considered that the risk to life from fire at these premises is:

Trivial Tolerable Moderate Substantial Intolerable

Risk level action and timescale

- **Trivial** - no action is required and no detailed records need be kept.
- **Tolerable** - no major additional fire precautions required. However, there might be a need for reasonably practicable improvements that involve minor or limited cost.
- **Moderate** - it is essential that efforts are made to reduce the risk. Risk reduction measures, which should take cost into account, should be implemented within a defined time period. Where moderate risk is associated with consequences that constitute extreme harm, further assessment might be required to establish more precisely the likelihood of harm as a basis for determining the priority for improved control measures.
- **Substantial** - considerable resources might have to be allocated to reduce the risk. If the premises is unoccupied, it should not be occupied until the risk has been reduced. If the premises is occupied, urgent action should be taken.
- **Intolerable** - premises (or relevant area) should not be occupied until the risk is reduced.

Note: although the purpose of this section is to place the fire risk in context, the above approach to fire risk assessment is subjective and for guidance only.

All hazards and any actions identified in this report should be addressed by implementing all recommendations contained in the following action plan.

The fire risk assessment should be reviewed regularly. We recommend at least annually.

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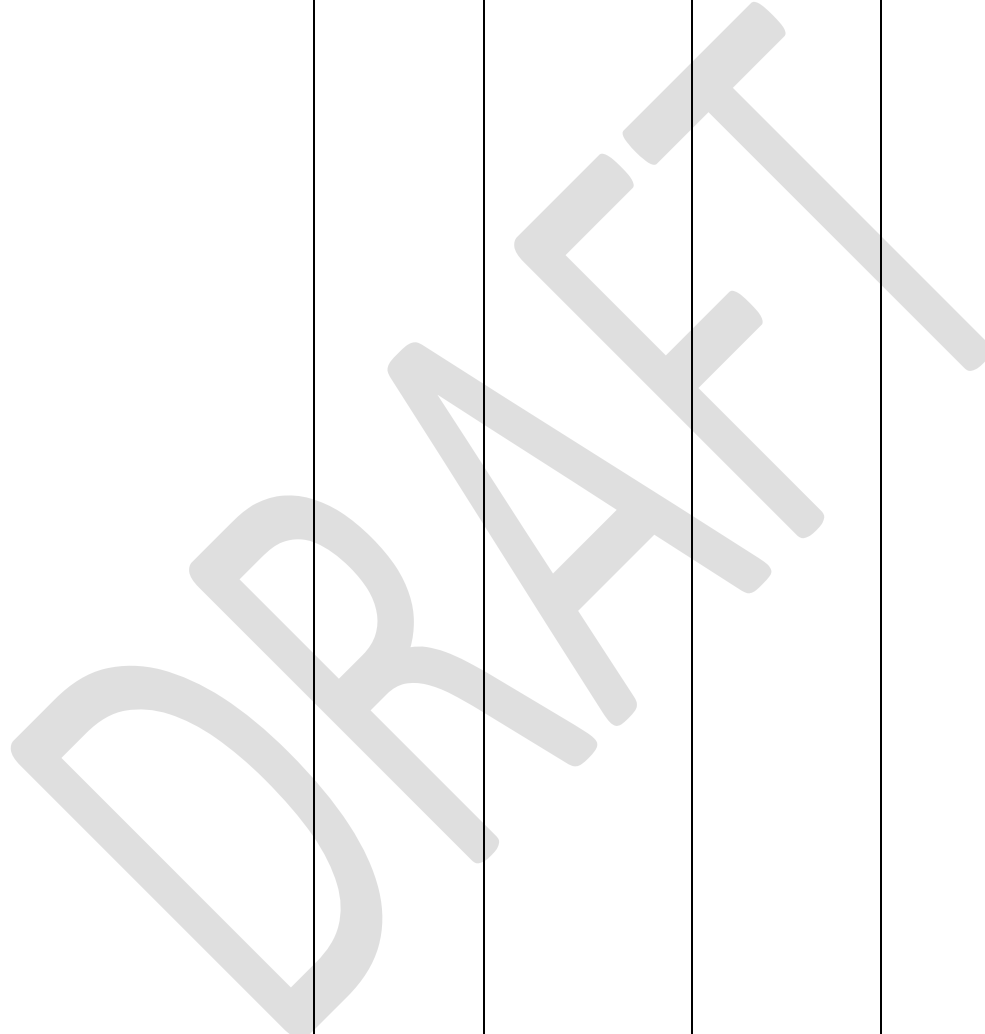
10. Action plan

To remedy the areas identified in sections 8 to 11, the following recommendations should be implemented in order to reduce fire risk to, or maintain it at, the following level:

Trivial

Tolerable

Action needed	Priority	Date to be Rectified	Date Rectified	Action taken by

Action needed	Priority	Date to be Rectified	Date Rectified	Action taken by
				

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PLATINUM JUBILEE EVENT
RISK ASSESSMENT



What are the hazards?	Who might be harmed	Risk Rating before control measures			Control Requirements	Risk Rating after control measures			Actioned by who
		Severity 1-3	Likelihood 1-3	RISK RATE		Severity 1-3	Likelihood 1-3	RISK RATE	
Stage & PA system: risk of injury if not adequately set up or protected during the event, risk of fire /electric shock	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	2	6	<ul style="list-style-type: none"> • Stage will be erected using a reputable third party contractor who will have their own public liability insurance and carry out a risk assessment, copies of which will be supplied to the Town Council with copies of all relevant safety certificates. • Crowd barriers will be positioned around the stage and PA system • No loose stage parts permitted • A volunteer steward will be in situ next to the stage to monitor • Fire extinguisher to kept by the stage. • Waterproof cable matting to be used where required. • Medical point staffed by Paramedic and First Responder to be onsite for the duration of the event. 	2	1	3	Chris Wilson – stage and PA system provider STC Volunteer stewards
Adverse weather – strong winds: risk of injury to	Members of the public, volunteers, stall holders, contracted	3	2	6	<ul style="list-style-type: none"> • Weather forecast and predicted windspeeds, including gusts, will be monitored in the week leading up to the event. 	2	2	4	STC

damage to equipment	service providers, music acts				<ul style="list-style-type: none"> • Should windspeeds exceed 24mph the event will cancelled • All event participants / volunteers / members of the public will be reminded to dress appropriately for the weather 				
Adverse weather – heavy rain: risk of injury due to wet, muddy ground and electric shock from wet electrical equipment	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	2	6	<ul style="list-style-type: none"> • Weather forecast and predicted windspeeds, including gusts, will be monitored in the week leading up to the event. • Should heavy rain be forecast, the event will cancelled • All event participants / volunteers / members of the public will be reminded to dress appropriately for the weather. • Only appropriately certificated electrical extension cables to be used and all cables are to be waterproof compliant. • Medical Pointed staffed by a Paramedic and First Responder will be onsite for the duration of the event 	3	1	3	STC
Hot weather: risk of sunburn / heatstroke / dehydration	Members of the public, volunteers, stall holders, contracted service	3	3	9	<ul style="list-style-type: none"> • All event participants / volunteers / members of the public will be expected to and reminded to dress appropriately for the weather, to apply sunscreen and 	3	2	6	STC

	providers, music acts				<p>to bring plenty of fluids with them to stay hydrated</p> <ul style="list-style-type: none"> • Hot and cold drinks will be available at the event • Trees along the western boundary of the gardens offer shade from the sun • Medical Point staffed by a Paramedic and First Responder will be onsite for the duration of the event 				
Trailing cables, gazebo ropes, stage equipment: risk of slips, trips and falls	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	3	9	<ul style="list-style-type: none"> • Cables to be positioned behind stalls and equipment where possible • All stallholders to complete a risk assessment of their stall , copies of which will be supplied to the Town Council together with evidence of public liability insurance. • Waterproof cable matting to be used to cover any trailing cables that cross public pathways • All cables that cross public pathways to be clearly marked • Medical Point staffed by a Paramedic and First Responder will be onsite for the duration of the event • Volunteer stewards to monitor for the duration of the event 	2	2	4	STC Community groups Third party activity providers

Natural hazards: risk of insect bites and stings, cuts and grazes, splinters from hedges, trees	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	3	9	<ul style="list-style-type: none"> • Site to be checked prior to the event for any wasp, bee or other insect nests • Site to be checked prior to the event for any trailing brambles or nettles • Medical Point staffed by a Paramedic and First Responder will be onsite for the duration of the event 	3	2	6	STC
Sale of hot drinks: risk of burns and scalds	Members of the public, volunteers, stall holders, contracted service providers, music acts	2	2	4	<ul style="list-style-type: none"> • Hot drinks will be provided by a local community group who hold their own public liability insurance and will be asked to complete a risk assessment, copies of which will be supplied to the Town Council. • Medical Point staffed by a Paramedic and First Responder will be onsite for the duration of the event 	2	1	2	Christians Together
General public safety: risk of harm and/or injury due to inappropriate behaviour	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	2	6	<ul style="list-style-type: none"> • No alcohol to be sold at the event • Local PCSOs have been informed of the event and will be on duty in the town • Volunteer stewards to monitor behaviour on site and to be proactive in dealing with potential issues • Volunteer stewards to call for assistance if required 	3	1	3	STC Volunteer stewards

					<ul style="list-style-type: none"> In the event of disorderly and dangerous behaviour, the police will be called via 999. 				
Lost Children	Children who become separated from their parents / guardians	1	3	3	<ul style="list-style-type: none"> The Medical Point will act as a Lost Children meeting place. All attendees will be made aware of this via the PA system A volunteer steward will reunite lost children with their parents / guardians via the PA system 	1	3	3	STC Volunteer stewards
Crowd Control: risk of injury and/or harm due to overcrowded areas	Members of the public, volunteers, stall holders, contracted service providers, music acts	2	3	6	<ul style="list-style-type: none"> Crowd barriers to be set up around the stage and a volunteer steward to monitor crowd surges Circus skills area to be roped off and a volunteer steward to supervise Majorettes display area to be chalked and volunteer stewards to ensure that audience remains at an appropriate distance Laser Clay shooting area to be roped off and a volunteer steward to supervise Above activities to provide copies of risk assessments and public liability insurance to the Town Council. 	1	2	2	STC Volunteer stewards Clazer Berzercus-circus Chris Wilson All third party activity providers
Fire	Members of the public, volunteers, stall holders, contracted service	3	2	6	<ul style="list-style-type: none"> A fire risk assessment and emergency plan will be completed prior to the event Fire exits to be clearly signed and attendees to be made aware of emergency evacuation procedures via the PA system 	3	2	6	STC Volunteer stewards Christians Together Chris Wilson

	providers, music acts				<ul style="list-style-type: none"> • Fire extinguishers to be made available onsite, one by the stage and one by the Medical Point. • Volunteer stewards to be aware of the emergency plan and instructed on emergency evacuation procedures prior to the event taking place. • Medical Point staffed by a Paramedic and First Responder will be onsite for the duration of the event • Fire risks to be included in the risk assessment for all electrically powered stalls and activities 				
Use of vehicles onsite: risk of injury due to moving vehicles	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	3	9	<ul style="list-style-type: none"> • All vehicle movement to be completed by 3pm on the day of the event • Stallholders and activity providers will be provided with staggered times for set up • No vehicles to be moved once the event has begun and for the duration of the event • Volunteer stewards will be instructed on how to supervise the movement of all vehicles on and off the site • Site to be made safe after the event prior to allowing vehicles to exit 	3	1	3	STC Volunteer stewards
Waste Management: risk of injury	Members of the public, volunteers, stall	2	2	4	<ul style="list-style-type: none"> • Sufficient waste disposal and recycling units to be made 	2	1	2	STC Volunteer stewards

from broken glass, risk of excess litter onsite	holders, contracted service providers, music acts				<p>available for the duration of the event</p> <ul style="list-style-type: none"> Waste bins to be supplied by a third party contractor with their own public liability insurance who will dispose of all waste appropriately Attendees to be encouraged to take their litter home with them Attendees to be encouraged not to bring glass to the event site The 3 existing litter bins in CFG to be covered prior to the event taking place Consideration to be given to employing a trained EDDC officer to monitor waste and litter pick as necessary 				Coastal UK
Cleanliness and hygiene of portable toilets: risk of bacteria caused by poor hygiene, risk of Covid	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	2	6	<ul style="list-style-type: none"> Portable toilets to be supplied by a third party contractor with their own public liability insurance. Volunteer steward to monitor access ensuring a 1 in and 1 out system Consideration to be given to employing an EDDC officer to monitor toilets and clean as necessary Hand sanitiser and lights to be provided in all toilets 	2	2	4	STC Volunteer stewards Portable toilet provider
Noise pollution: risk of complaints from	Neighbouring residents	1	3	3	<ul style="list-style-type: none"> All neighbouring residents to be informed of the event prior to it taking place Event to end by 10pm 	1	2	2	STC

neighbouring properties									
Waning daylight: risk of injury caused by lack of adequate light	Members of the public, volunteers, stall holders, contracted service providers, music acts	2	3	6	<ul style="list-style-type: none"> Flood lights will be provided to aid attendees when exiting the event site Battery lights to be put up outside the portable toilets All volunteer stewards to wear hi-viz vests / jackets for the duration of the event Volunteer stewards to man exits at the end of the event Attendees to be made aware that the event will end at night and advised to bring torches to assist with exiting the site 	1	3	3	STC Volunteer stewards Chris Wilson
Lighting of the beacon	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	3	9	<ul style="list-style-type: none"> Beacon will be gas powered and all safety checks completed prior to the event taking place A separate risk assessment will be completed for the beacon The area around the beacon to be roped off and volunteer stewards to ensure audience views this activity at an appropriate distance 	3	2	6	STC Volunteer stewards
Covid	Members of the public, volunteers, stall holders, contracted service providers, music acts	3	3	9	<ul style="list-style-type: none"> Government guidance at the time of the event to be communicated to all volunteers, third party contractors and stall holders Hand sanitiser to be made available at all entrance points Attendees to bring their own food and drink 	3	1	3	STC Volunteer stewards

					<ul style="list-style-type: none">• Portable toilets to be cleaned at regular intervals• Covid related information to be highlighted on social media and the Council's website				
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DRAFT

Completing the risk assessment:

For each hazard that you can identify, you must assess the likelihood of the risk occurring and the impact it would have if it did occur. Score both items on a scale from 1 to 3 (3 being highest) and multiply the two together to get a Risk Rate.

Then identify steps that can be taken to reduce or remove the risk. Does the mitigation give a significantly lower risk score? If not, what further mitigation must be put into place to bring the Risk Rate to an acceptable level? If the risk remains "Intolerable" or "Substantial," what can you do to remove that activity or area of risk completely?

		Severity/Consequence		
		Slightly harmful (1)	Harmful (2)	Extremely harmful (3)
Likelihood	Highly unlikely (1)	Trivial risk (Score 1)	Tolerable risk (Score 2)	Moderate risk (Score 3)
	Unlikely (2)	Tolerable risk (Score 2)	Moderate risk (Score 4)	Substantial risk (Score 6)
	Likely (3)	Moderate risk (Score 3)	Substantial risk (Score 6)	Intolerable risk (Score 9)

Signature:	Date:
Name:	
Position at Seaton Town Council:	

Annual Report by Cllr Marcus Hartnell Devon County Councillor for Seaton & Colyton

Roles & Responsibilities 2021/22 Devon County Council (DCC)

Corporate Infrastructure & Regulatory Services Scrutiny Committee (CIRS)
Investment & Pension Fund Committee
East Devon Highways & Traffic Orders Committee
East Devon Locality (County) Committee
Community Safety Partnership

Constituency Activity

I represent the following communities:

Seaton (Town Council, East Devon District Council & Devon County Council)
Colyton & Colyford (Devon County Council)
Southleigh, Northleigh & Farway (Devon County Council)
Offwell & Widworthy (Devon County Council)
Beer & Branscombe (Devon County Council)

As a tri-hatted Councillor I have helped many constituents over the past year. The most common requests are related to highways matters and it is also the most frustrating. The overall condition of our roads has improved in recent years however a combination of reduced budgets and rising costs will mean that the next financial year will be very challenging. I continue to make regular inspections with the local Highway Officer and with local Councillors. This is proving to be more effective than holding traffic group meetings. I have supported Southleigh Parish Council to enable repairs to the foundations and retaining wall near Turners Court to protect the road from subsiding. This project was jointly funded by Southleigh Parish Council, DCC Community Enhancement Fund and my locality budget. I have supported applications from Colyton, Colyford & Beer for 20mph speed limits to improve road safety and continue to push for safety improvements on the A3052 through Colyford and the A35 through Wilmington & Offwell.

The final planning and delivery stages of the multi-use trail (Stop line way) in Seaton between the Cemetery and White Cross Farm are progressing. The Compulsory Purchase of land is complete with initial survey and design work being undertaken now in readiness for the autumn when work will commence clearing vegetation. Completion should be in 2023.

Along with my fellow EDDC Ward members I have been involved in discussions covering the future development of the Moridunum and Seafront improvements, the next steps for the Seaton Jurassic Visitor Centre and the Joint Axe Valley Levelling up bid. All three of these items dovetail between EDDC & DCC and are ongoing.

I did not support the increase in parking charges to £2 per hour across many East Devon coastal car parks, and I am concerned what impact this will have. As many households will be feeling the squeeze from increased energy and food prices, the amount of consumer discretionary spend will reduce accordingly. There is a real risk visitors will park for shorter periods which will hit our shops and businesses, jeopardising the post Covid economic recovery. As County Councillor I am concerned that these price increases will create parking problems in other areas, as those who are not prepared to pay these extortionate prices will use on-street parking to the annoyance of local residents.

On a more positive note, I was pleased to propose the role of a Disability Champion for Seaton. This role will assist Seaton Town Council with its decision making, ensuring when decisions are made consideration is given to people with disabilities. I am pleased to have pledged £1k of my locality budget towards rubber matting for the beach at Seaton, enabling wheelchair users to have access onto the pebbles.

Best Place – Devon County Council Plan 2021-2025

The DCC strategic plan up to 2025 can be viewed online.

The plan focuses on how we will help the county to recover from the COVID-19 pandemic, build on the resilience of local people and communities to create a fairer, healthier and more caring place, and grasp the opportunity to create a greener, more prosperous and inclusive future for all.

The best place - Strategic Plan ([devon.gov.uk](https://www.devon.gov.uk))

Committee work

All County Committees are meeting in person at County Hall and meetings are also recorded or live streamed for public viewing.

The CIRS committee has overseen the 3-year extension of the Milestone highways maintenance contract, input into the new council plan, the budget, rural road safety and speed policy, as well as received regular Highway's performance stats and ongoing updates in relation to Covid-19.

The Investment & Pension Fund Committee is responsible for the £5bn Devon pension fund. The work of the committee is to receive regular reports on investment strategy and policy, climate change impact, audit, and ongoing training for members. Of particular interest is the committee decision last year to divest passive investments in companies with exposure to fossil fuels and mining. As a result, 25% of the total pension fund is now invested in a Passive Climate Transition Benchmark (CTB) fund.

My first year as your Devon County Councillor has been really fulfilling and enjoyable, but not without challenges. The year ahead is going to be tough in respect of Highways maintenance and the pressures from both funding and increasing costs. To assist with tackling some of the minor works that are important to communities but often don't get prioritised, I'd like to advocate the Road Warden Scheme, which is a formal agreement between Devon County Council and a town or parish council, which enables them to deliver minor works in or around the public highway. Work can be carried out by a qualified Road Warden volunteer. I plan to complete Road Warden training myself and encourage at least one member of each Town/Parish to do the same. Works we can then tackle as volunteers are Pothole repairs (when they do not meet the county council's intervention criteria); clearing weeds; cleaning signs; cleaning drainage (gully grating); cutting grass; repairing finger posts; cutting hedges and vegetation; managing verges for wildlife and with Chapter 8 training and setting up and managing road closures for special events. I believe this approach will make each community more resilient and empowered. More details will follow in my monthly reports.

I very much look forward to working with Councillors, Town/Parish Clerks, and residents over the coming year to assist with your priorities and to support each community, ensuring you are informed, supported, and prepared for the challenges that lie ahead.

**Cllr Marcus Hartnell
April 2022**