

22<sup>nd</sup> February 2021



## To Members of Council

You are hereby summoned to a virtual MEETING OF COUNCIL to be held on Monday, 26<sup>th</sup> April 2021 at 7.30pm, to conduct the following business.

Helen Bojaniwska  
Town Clerk

The meeting will be held via the [Zoom meeting platform](#).

To attend the meeting please use ID **832 8136 0047**– password **community**

For more information about attending Council meeting via Zoom please refer to the [guidance on our website](#).

### AGENDA

1. To receive apologies
2. To receive declarations of interest or requests for dispensations
3. To approve the minutes of the meeting of 1<sup>st</sup> March 2021 previously circulated
4. To receive the Mayor's remarks
5. To receive questions from members of the public
6. To receive any verbal reports from District and County Councillors
7. To receive the Clerk's Report (for information only)
8. To approve meeting dates for the civic year 2021 to 2022
9. To approve a minor amendment to Standing Orders as recommended by the Council's Internal Auditor
10. To receive an internal audit report for 2020-21
11. To approve an updated risk assessment as recommended by the Finance and Policy Committee
12. To approve temporary changes to delegation arrangements
13. To agree arrangements for the Annual Town Meeting
14. To note [Notices of Uncontested Election, Statement of Persons Nominated](#) and post nomination processes for the Town Council election on 6<sup>th</sup> May 2021
15. To consider an invitation from Gloucestershire Association of Parish and Town Councils to submit a resolution for debate at their AGM on 24<sup>th</sup> July 2021
16. To receive Committee reports, previously circulated, as follows:

Consultations & Highways:	8 <sup>th</sup> March 2021
Community:	15 <sup>th</sup> March 2021
Finance and Policy:	22 <sup>nd</sup> March 2021
Environment:	30 <sup>th</sup> March 2021

*Members are reminded that the Council has a general duty to consider the following matters in the exercise of any of its functions: Equal Opportunities (age, race, gender, sexual orientation, faith, marital status and disability); Crime and Disorder (Section 17); Health and Safety; and Human Rights.*

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# Clerk's report for Council 26/4/2021

## Staff and office

Office staff are continuing to work from home in line with the latest government guidance. Plans are in place to return to the office and open to the public in early May with staff working on a rota.

We are continuing to see residents by appointment for any matters that cannot be resolved remotely, for example signing "proof of life" documents.

## Election

There will be a poll for Central ward on 6th May 2021.

There will be no polls in the other wards where there are only 2 or 3 candidates for the 3 seats available. In these wards the candidates are automatically elected and will take office on 10<sup>th</sup> May. In Uplands ward there were only two candidates so the Council will be able to co-opt an additional member in due course.

I would like to extend my personal thanks to those councillors who are standing down this year. It has been a pleasure to work with you and I do hope you will keep in touch.

## Social Distancing in the town centre

An extension to the TRO closing London Road on Saturdays for the Farmers' Market has been approved. SDC will fund the traffic management from their government grant from the Reopening High Streets Safely Fund until June.

## Green Spaces team

Sadly our Green Spaces Manager will be leaving us at the end of April. The vacancy has been advertised and the closing date for applications is 27th April 2021. Interviews will be held in early May. The team will be jointly managed by the Clerk and Deputy Clerk in the interim.

A new Horticulture Ranger, Sam Moppett has joined the team.

## Finance Staff

Interim staff are in place to manage financial administration and year-end preparation. The Personnel Committee will be reviewing staffing requirements for this area of work before advertising a permanent replacement. Any financial queries in the meantime can be directed to the Town Clerk.

Helen Bojaniwska  
Town Clerk  
19<sup>th</sup> April 2021

**STROUD TOWN COUNCIL**  
**SCHEDULE OF MEETINGS 2021-22**

2021	Day	Date
<b>ELECTION</b>	Thu	6 May
<b>ANNUAL COUNCIL</b>	Tue	11 May
Consultations & Highways	Mon	17 May
Free	Mon	24 May
Environment	Tue	25 May
Regeneration (Daytime)	Thu	27 May
Bank Holiday	Mon	31 May
Finance & Policy	Mon	7 Jun
Consultations & Highways	Mon	14 Jun
Free	Mon	21 Jun
Community	Mon	28 Jun
Free	Mon	5 Jul
Consultations & Highways	Mon	12 Jul
Environment	Tue	13 Jul
<b>COUNCIL</b>	Mon	19 Jul
Regeneration (Daytime)	Thu	22 Jul
School Holidays	Mon	26 Jul
School Holidays	Mon	2 Aug
School Holidays	Mon	9 Aug
Consultations & Highways	Mon	16 Aug
School Holidays	Mon	23 Aug
Bank Holiday	Mon	30 Aug
Finance & Policy	Mon	6 Sep
<b>COUNCIL</b>	Mon	13 Sep
Consultations & Highways	Mon	20 Sep
Environment	Tue	21 Sep
Free	Mon	27 Sep
Community	Mon	4 Oct
Regeneration (Daytime)	Thu	7 Oct
Free	Mon	11 Oct
Consultations & Highways	Mon	18 Oct
School Holidays	Mon	25 Oct
Free	Mon	1 Nov
<b>COUNCIL</b>	Mon	8 Nov
Free	Mon	15 Nov
Consultations & Highways	Mon	22 Nov
Environment	Tue	29 Nov
Community	Mon	6 Dec
Regeneration	Thu	9 Dec
Finance & Policy	Mon	13 Dec
School Holidays	Mon	20 Dec
School Holidays	Mon	27 Dec

2022	Day	Date
Bank Holiday	Mon	3 Jan
Consultations & Highways	Tue	4 Jan
Free	Mon	10 Jan
<b>COUNCIL</b>	Mon	17 Jan
Free	Mon	24 Jan
Environment	Tue	25 Jan
Free	Mon	31 Jan
Consultations & Highways	Mon	7 Feb
Finance & Policy	Mon	14 Feb
Regeneration (Daytime)	Thu	17 Feb
School Holidays	Mon	21 Feb
Community	Mon	28 Feb
<b>COUNCIL</b>	Mon	7 Mar
Consultations & Highways	Mon	14 Mar
Free	Mon	21 Mar
Free	Mon	28 Mar
Environment	Tue	29 Mar
Free	Mon	4 Apr
Consultations & Highways	Mon	11 Apr
Bank Holiday	Mon	18 Apr
<b>COUNCIL</b>	Mon	25 Apr
Regeneration (Daytime)	Thu	28 Apr
Bank Holiday	Mon	2 May

2022-23	Day	Date
<b>ANNUAL MEETING</b>	Mon	9 May
Consultations & Highways	Mon	16 May
<b>TOWN MEETING</b>	Wed	18 May



# **STROUD TOWN COUNCIL STANDING ORDERS**

Approved by Council 26th April 2021

## Stroud Town Council Standing Orders DRAFT for approval 26/4/2021

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## **Stroud Town Council Standing Orders DRAFT for approval 26/4/2021**

### **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 chairperson 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 chairperson 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 chairperson of the meeting, is expressed in writing to the chairperson.
- h A councillor may move an amendment to his or her 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 chairperson 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 chairperson of the meeting.
- k One or more amendments may be discussed together if the chairperson 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 chairperson of the meeting, a councillor may speak once in the debate on a motion except:

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- 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 or she 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 or she considers has been breached or specify the other irregularity in the proceedings of the meeting he or she is concerned by.
- q A point of order shall be decided by the chairperson of the meeting and his or her 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 chairperson 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 or her 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 chairperson of the meeting.

## Stroud Town Council Standing Orders DRAFT for approval 26/4/2021

### 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 chairperson of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairperson of the meeting to moderate or improve their conduct, any councillor or the chairperson 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 chairperson 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

Full 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.** Meetings of the Council shall normally be held on a Monday commencing at 7.30pm and closing by 10.00pm, in the Council offices, Thanet House, London Road, Stroud.
- 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 chairperson of the meeting.



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- 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 chairperson of the meeting may direct that a written or oral response be given.
- i A person shall raise his or her hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The chairperson of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his or her comments to the chairperson of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairperson 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 Mayor may in his or her absence be done by, to or before the Deputy Mayor of the Council.**
- p ● **The Chairperson, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Deputy Chairperson of the Council (if there is one) if present, shall preside. If both the Chairperson and the Deputy Chairperson 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 chairperson 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 or her casting vote whether or not he or she gave an original vote.**

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*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairperson 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 or her 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 or her 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(viii) 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 2.5 hours.

#### 4. COMMITTEES AND SUB-COMMITTEES

a **Unless the Council determines otherwise, a committee may appoint a**

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**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 standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing 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. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 clear days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairperson of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairperson at the first meeting of the committee;
  - viii. 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;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. 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;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. may dissolve a committee or a sub-committee.
- e The following Committees shall be the Standing Committees of the Council.

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They shall consist of the number of councillors indicated:

<b>Principal Committees</b>	<b>Number</b>	<b>Quorum</b>
Finance and Policy	7	4
Consultations and Highways	9 to include at least one member from each ward	3
Environment	7	4
Community	7	4
Regeneration	7	4
<b>Other Committees</b>		
Personnel	3	2
Appeals	3	3

The Regeneration committee will also include the following non-voting members appointed annually:

Stroud District Council – 1 Stroud ward member

Gloucestershire County Council – 1 Stroud division member

Chamber – 1 representative

Other relevant community groups and businesses – 1 representative each

The election of councillors to the Personnel and Appeals Committees shall be by nominations and then if necessary by election by a show of hands at the annual meeting.

The Mayor, Deputy Mayor and Chairs of the Consultations and Highways, Environment, Community and Regeneration Committee shall be full voting members of Finance and Policy Committee ex officio.

The election of councillors to fill the remaining places on the Finance and Policy Committee and all places on the Environment, Community, Regeneration and Consultations and Highways Committees shall be by the following procedure.

- i. No later than ten days before the annual meeting, except in an election year, the proper officer of the council shall invite every councillor to nominate themselves for a seat on at least one principal committees. Councillors may also nominate themselves for one seat on either the Personnel or Appeals Committee.
- ii. Each councillor must notify the proper officer of their nominations by 10am on the Thursday directly before the annual meeting.
- iii. Councillors who do not submit their nominations within this deadline will be placed on a committee with vacant positions at the discretion of the proper officer in consultation with the mayor.

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- iv. If there are more nominations than seats available for any committee, then the clerk shall prepare ballot papers for voting to take place at the annual meeting.
- v. At the agenda item for elections to committees at the annual meeting, the mayor shall issue the ballot papers and instruct each councillor that they can vote for a maximum of any:
  - nine councillors to be appointed to Consultations and Highways Committee; seven councillors to be appointed to the Environment Committee; seven councillors to be appointed to the Community Committee; seven councillors to be appointed to the Regeneration Committee, and
- vi. a maximum equal to the number of remaining vacancies, once ex officio appointments have been made, to be appointed to the Finance and Policy Committee.
- vii. After all ballot papers have been returned to the Mayor, the meeting shall be adjourned while the proper officer counts the votes, and resumed when the results are ready to be announced.

### **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 Chairperson and Deputy Chairperson of Stroud Town Council shall be known as the Mayor and Deputy Mayor.
- f **The first business conducted at the annual meeting of the Council shall be the election of the Mayor and Deputy Mayor of the Council.**
- g **The Mayor, unless he or she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his or her successor is elected at the next annual meeting of the Council.**
- h **The Deputy Mayor of the Council, unless he or she resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the Council.**
- i **In an election year, if the current Mayor has not been re-elected as a member of the Council, he or she shall preside at the annual meeting until**

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**a new Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but shall give a casting vote in the case of an equality of votes.**

- j In an election year, if the current Mayor has been re-elected as a member of the Council, he or she shall preside at the annual meeting until a new Mayor has been elected. He or she may exercise an original vote in respect of the election of the new Mayor and shall give a casting vote in the case of an equality of votes.**
- k Following the election of the Mayor and Deputy Mayor of the Council at the annual meeting, the business shall include:**
  - i. In an election year, delivery by the Mayor 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 Mayor of his or her 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 inventory of land and other assets including buildings and office equipment;
  - xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;

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- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. 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 Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Mayor 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.**
- c The chairperson of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairperson of a committee [or a sub-committee] does not call an extraordinary meeting within 3 clear days of having been requested to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

### **7. PREVIOUS RESOLUTIONS**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 12 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

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### **8. VOTING ON APPOINTMENTS**

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairperson 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 7 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 3 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 chairperson 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:



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- 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**

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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

Full Council meetings           ●  
Committee meetings           ●  
Sub-committee meetings       ●

- 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 10(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 chairperson of the meeting and stand as an accurate record of the meeting to which the minutes relate.

- d If the chairperson of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he or she shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairperson of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his or her view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e ●●● **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

- f Subject to the publication of draft minutes in accordance with standing order 12(e) and 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

*See also standing order 3(u).*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

## Stroud Town Council Standing Orders DRAFT for approval 26/4/2021

- b Unless he/she 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/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- c Unless he/she 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/she has another interest if so required by the Council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she 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 a meeting of the Council, or committee or sub-committee for which the dispensation is required 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 at the beginning of the meeting of the Council, or committee or sub-committee 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.**
    - i. No member of the public, job applicant, elected member or employee shall receive less favourable treatment on the grounds of age, gender, race, faith, sexual orientation, marital status or disability.

## Stroud Town Council Standing Orders DRAFT for approval 26/4/2021

### 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 Mayor of this fact, and the Mayor 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 or Unitary 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/her. Such action excludes disqualification or suspension from office.**

### 15. PROPER OFFICER

- a The Proper Officer shall be either (i) the clerk or (ii) deputy clerk or (iii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- 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).**

*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*

- ii. subject to standing order 9, include on the agenda all motions in the order

## Stroud Town Council Standing Orders DRAFT for approval 26/4/2021

received unless a councillor has given written notice at least 7 days before the meeting confirming his/her withdrawal of it;

- iii. **convene a meeting of the Council for the election of a new Mayor, occasioned by a casual vacancy in his or her 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. liaise, as appropriate, with 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;  
(see also *standing order 23*);
- 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;
- xv. refer a planning application received by the Council to the Chairperson or in his or her absence the Deputy Chairperson of the Consultations and Highways 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 Consultations committee;
- xvi. where there is insufficient time to call an extraordinary meeting in accordance with xv above, to prepare a response to the local planning authority in consultation with the Chairperson, Deputy Chairperson and once other member of the Consultations and Highways Committee (to be a ward member for the premises concerned)

## **Stroud Town Council Standing Orders DRAFT for approval 26/4/2021**

- xvii. manage access to information about the Council via the publication scheme; and
- xviii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.  
(see also standing order 23).

### **16. RESPONSIBLE FINANCIAL OFFICER**

- a 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 as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - ii. the Council's receipts and payments (or income and expenditure) for each quarter;
  - iii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iv. the balances held at the end of the quarter being reportedand 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. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 1 of 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 (receipts and payments, or income and expenditure) for the year to 31 March.

## Stroud Town Council Standing Orders DRAFT for approval 26/4/2021

A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated 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, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- 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

## Stroud Town Council Standing Orders DRAFT for approval 26/4/2021

- 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. Where it is intended to enter into a contract for the supply of goods or services which exceed £8,000 (excluding VAT) in any financial year, at least three quotations/tenders must be obtained for evaluation by the committee entering into the expenditure.
  - f. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
  - g. **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.**
  - h. **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.**
  - i. Committees have delegated powers of expenditure for those items agreed at Council to form part of the Committee's annual budget.



## **Stroud Town Council Standing Orders DRAFT for approval 26/4/2021**

### **19. HANDLING STAFF MATTERS**

- a A matter personal to a member of staff that is being considered by a meeting of the Personnel committee OR the Appeals 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 chairperson of the Personnel committee if he or she is not available, the deputy chairperson of the Personnel committee of absence occasioned by illness or other reason and that person shall report such absence to the Personnel committee at its next meeting.
- c The chairperson of the Personnel committee or in his or her absence, the deputy chairperson shall upon a resolution conduct a review of the performance and annual appraisal of the work of Town Clerk and the Town Clerk with the Green Spaces Manager where appropriate, shall conduct a review of the performance and annual appraisal of other Council employees. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Personnel committee.
- d 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 chairperson of the Personnel committee or in his or her absence, the deputy chairperson of the Personnel committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by [the member of staff's job title] relates to the chairperson or deputy chairperson of the Personnel committee, this shall be communicated to another member of the Personnel committee, which shall be reported back and progressed by resolution of the Personnel committee.
- f 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.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

### **20. RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 21.*

- 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**

## **Stroud Town Council Standing Orders DRAFT for approval 26/4/2021**

**requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

### **21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).  
*See also standing order 11.*

- a **The Council shall 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 or her 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**

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

### **23. EXECUTION AND SEALING OF LEGAL DEEDS**

*See also standing orders 15(b)(xii) and (xvii).*

- 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), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

### **24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY 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 Council OR Unitary

## **Stroud Town Council Standing Orders DRAFT for approval 26/4/2021**

Council 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** A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9.
- c** The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d** The decision of the chairperson of a meeting as to the application of standing orders at the meeting shall be final.

**STROUD TOWN COUNCIL.**  
**Internal auditor's report for the year ended 31 March 2021**  
**Name of Auditor: GAPTC (Julie Shirley)**

**GAPTC internal audits comply with the proper practices outlined in the Governance & Accountability for Smaller Authorities – A Practitioners' Guide and the Accounts and Audit Regulations 2015.**

**The GAPTC internal audit reviews and reports on whether the systems of financial and other internal controls over its activities and operating procedures are effective. The audit tests a variety of documents, including agendas and minutes, policies, insurance and risk management processes, to ensure Council meets the requirements set out in the Annual Internal Audit Report in the Annual Governance & Accountability Return. The internal audit does not involve the detailed inspection of all records and transactions of an authority in order to detect error or fraud.**

**Our auditors are independent of the Council and are competent to be able to carry out the requirements of the internal audit service.**

**1. Working documents**

<b>Ref</b>	<b>Test</b>	<b>Meets reqmts? Yes, No or N/A</b>	<b>Internal Auditor's comments/recommendations</b>	<b>Evidence</b>
1.1	Have Standing Orders been; a) tailored to council? b) formally adopted?	(a) Yes (b) Yes		Standing Orders on website dated 09/12/19
1.2	Have Standing Orders been a) reviewed? b) minuted?	(a) Yes (b) Yes	Recommend review and update SOs at May 21 meeting to include minor amendment to Section 18	9 <sup>th</sup> December 2019 minutes on website 2020
1.3	Have Financial Regulations been a) tailored to council? b) formally	(a) Yes (b) Yes		Financial Regulations on website dated 02/11/20

	adopted?			
1.4	Have Financial regulations been a) reviewed? b) minuted?	(a) Yes (b) Yes		12 <sup>th</sup> May 2020 and 2 <sup>nd</sup> November 2020 minutes on website
1.5	Does the council a) give grants? b) have a grant-awarding policy?	(a) Yes (b) Yes		Details of grants on website Grants & Funding Guidance on website
1.6	Have items / services above the recommended amount been competitively purchased in accordance with Financial and Procurement Regulations? (LARGE COUNCILS)	Yes		Tenders are advertised on website (3 at time of audit), put to Full Council 1 <sup>st</sup> March 2021 for approval.
1.7	Code of conduct reviewed in the last 2/3 years?	Yes	Recommend Code is reviewed after elections.	Code of Conduct dated 29 <sup>th</sup> October 2018 on website.

## 2. Admin

Ref	Test	Meets reqmts?	Internal Auditor's comments/recommendations	Evidence
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		Yes, No or N/A		
2.1	Has the General Power of Competence been adopted (e.g. a minute reference)?	Yes		20 <sup>th</sup> July 2020 minutes on website
2.2	S137 a) is there a separate account for payments? b) are totals within statutory limits?	N/A	General Power of Competence adopted	
2.3	Is there an annual council authorisation of Direct Debit list and Standing Orders?	Yes		18 <sup>th</sup> January 2021 F&P Committee minutes
2.4	Was Petty Cash expenditure approved, if any?	N/A	No petty cash transactions this financial year	Advised by Clerk
2.5	Is all expenditure supported by VAT invoices, if applicable?	Yes	Recommend that the Lloyds BACS authorisation confirmation is printed/saved after each payment-run so that a record of which councillors authorised the payments is on file.	Sample transactions – see separate checklist
2.6	VAT – a) recorded in accounts b) reclaimed?	(a) Yes (b) Yes		Sample transactions – see separate checklist VAT returns Q1 and Q2
2.7	Purpose of loan and power identified, if applicable?	N/A	No new loans in 2020/21	Advised by Clerk

### 3. Risk management

Ref	Test	Meets reqmts? Yes, No or N/A	Internal Auditor's comments/recommendations	Evidence
3.1	Insurance policy in place?	Yes		Insurance dated June 2020
3.2	Evidence of review of insurance cover to ensure still fit for purpose?	Yes	Insurance reviewed in 2019 when the insurance was last tendered. STC in a 5-year long-term arrangement. Recommend that Finance Committee carry out a mid-term review to ensure insurance cover is still fit for purpose	17 <sup>th</sup> June 2019 F&P Committee minutes
3.3	Copy of Risk Management policy seen?	Yes	Risk Assessments reviewed by F&P Committee	18 <sup>th</sup> January 2021 F&P Committee minutes Risk Assessment & Management dated March 2020 on website
3.4	Evidence that internal controls take place and are documented including bank reconciliations?	No but...	None undertaken up to January 2021 due to COVID-19. Due to be carried out February 2021.	Sample checklist
3.5	Does the council carry out an annual review of the effectiveness of their overall internal audit arrangements?	Yes	Recommend that Council carries out an annual review of the audit as per G&A section 4.21. This could be done when council selects its internal auditor and confirms that it has reviewed competence, independence etc of the auditor.	16/3/2020 F&P Committee reviewed and updated Cllr internal checks. 1/6/2020 F&P Committee approved new processes for dealing with accounts admin electronically. 20/7/2020 Council reviewed the work of the F&P Committee.
3.6	Asset register seen and reviewed regularly?	Yes	Land and Buildings updated 1 <sup>st</sup> April 2019 Recommend annual review of assets to ensure up to date and as part of insurance cover review	Land & Buildings asset list on website and Asset Register spreadsheet

3.7	Evidence that assets a) have been inspected for risk? b) reported in minutes? c) any actions undertaken?	(a) Yes (b) Yes (c) Yes	(a) The Council has a lot of assets – property, land, vehicles and equipment. There are systems in place covering H&S risks, which are audited annually by Ellis Whittam, for example PAT testing, vehicle maintenance and testing, play equipment checks etc. Their risk assessment reports are presented to F&P Committee.  Condition surveys have been completed on properties and large structures like stone walls in parks, and defects remedied.	(a) Advised by Clerk. (b) Tree inspections reported to environment Committee 17 <sup>th</sup> Nov 2020 minutes; play equipment COVID risk reported to environment committee 21 <sup>st</sup> July 2020 minutes. (c) As per (b)
3.8	Review of a) investments? b) bank mandates?	(a) Yes (b) Yes	(a) Investments reviewed (b) Mandate updated November 2020	(a) 18 <sup>th</sup> January 2021 F&P Committee minutes (b) 2 <sup>nd</sup> November 2020 Full Council minutes
3.9	If credit / debit / prepaid cards in use, are proper procedures in place?	Yes		Internal Financial Controls document 7.4, Financial Regs 6.18, 6.19, 6.20, 6.22.
3.10	Are a) physical records secure? b) electronic records backed up?	(a) Yes (b) Yes	All stored / backed-up to Sharepoint. Physical records stored in a fireproof safe.	Advised by Clerk.

#### 4. Transparency Code

Ref	Test	Meets reqmts? Yes, No or N/A	Internal Auditor's comments/recommendations	Evidence
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4.1	Minutes published on website in draft form within one month (mandatory for councils with a turnover of less than £25,000)?	Yes		Website
4.2	Compliance with Transparency Code for councils with turnover of less than £25,000 and over £200,000?	Yes		Website

## 5. Budgetary controls

Ref	Test	Meets reqmts? Yes, No or N/A	Internal Auditor's comments/recommendations	Evidence
5.1	Was a budget properly for the year under review a) prepared? b) adopted? c) minuted?	(a) Yes (b) Yes (c) Yes	Recommend putting 2021/22 approved budget on the website finance section as soon as approved, or within the minutes, when approved, for members of public to read. Noted that the draft budget is included in the meeting papers at page 55 of 72.	2020/21 13 <sup>th</sup> January 2020 Full Council minutes; budget on website 2021/22 11 <sup>th</sup> January 2021 Full Council minutes;
5.2	Reserves: a) Is there a reserve policy b) Were the objectives of the reserves identified?	(a) None seen (b) Yes		List of earmarked reserves reviewed 1 <sup>st</sup> June 2020 F&P Committee minutes, 28 <sup>th</sup> September 2020 minutes
5.3	Was the precept	Yes		2020/21 13 <sup>th</sup> January 2020 Full Council

	demand for the year under review properly minuted in full council?			minutes 2021/22 11 <sup>th</sup> January 2021 Full Council minutes
5.4	Did the council regularly compare the actual income and expenditure to the budget (as detailed in the financial regulations) and evidenced in the minutes?	Yes	Delegated to the Finance & Policy Committee Each Committee also monitors their own budgets.	1 <sup>st</sup> June 2020 F&P Committee minutes 28 <sup>th</sup> September 2020 F&P Committee minutes 14 <sup>th</sup> December 2020 F&P Committee minutes 18 <sup>th</sup> January 2021 F&P Committee minutes  15 <sup>th</sup> September 2020 Env Committee minutes 21 <sup>st</sup> September 2020 Community Committee minutes
5.5	Are any significant unexplained variances from budget reported?	N/A	Some budget lines overspent as at January 2021, but overall no significant variances.	1 <sup>st</sup> June 2020 F&P Committee minutes 28 <sup>th</sup> September 2020 F&P Committee minutes 14 <sup>th</sup> December 2020 F&P Committee minutes 18 <sup>th</sup> January 2021 F&P Committee minutes  15 <sup>th</sup> September 2020 Env Committee minutes 21 <sup>st</sup> September 2020 Community Committee minutes

## 6. Payroll

Ref	Test	Meets reqmts? Yes, No or N/A	Internal Auditor's comments/recommendations	Evidence
6.1	Do all staff have a contract of employment?	Yes		Sample contract
6.2	Do salaries paid agree with those	Yes	Salary checks form part of the Cllrs internal checks process.	Sample checked: employees PW, EO, AR, KM. Viewed salary confirmation letters and

	approved by Council?		Recommend that a summary of employees and current pay scales are confirmed by the Personnel Committee annually, perhaps at budget setting.	compared to March 2021 payslips.
6.3	Has the Council registered as an employer with HMRC and have PAYE / NIC been properly dealt with (including year-end procedures)?	Yes		Payroll is outsourced
6.4	Are Councillor's allowances and expenses properly authorised & controlled, if any?	N/A	Councillors do not receive an allowance and no expenses claimed during 2020/21 to date.	Advised by Clerk.
6.5	Pension provision – eligible employees a) offered pension scheme? b) outcome minuted?	(a) Yes (b) No	All qualifying staff are automatically enrolled. Recommend that when the next Pension Regulator re-declaration is completed that Council record in the minutes that all eligible staff are automatically enrolled in the pension and state which pension the Council offers eg LGPS, NEST etc.	Advised by Clerk.
6.6	Has auto-enrolment registration with Pension Regulator been reviewed (if applicable)	N/A	Last re-declaration dated 10/08/19	Referred to previous audit report

## 7. Year-end procedures

Ref	Test	Meets reqmts? Yes, No or N/A	Internal Auditor's comments/recommendations	Evidence
7.1	Are debtors and creditors recorded properly on separate balance sheet if using Income & Expenditure reporting?	Yes		Annual Financial Statement dated 31/03/20
7.2	Does council as a whole consider the year-end accounts?	Yes		20 <sup>th</sup> July 2020 minutes on website
7.3	Minute confirming that council is eligible for Certificate of Exemption (only for councils with a turnover of less than £25,000)	N/A	Council has > £25k turnover	
7.4	Annual Governance Statement, section 1 of Annual Return, approved by whole council	Yes		20 <sup>th</sup> July 2020 minutes on website agenda item 15
7.5	Annual Statement of Accounts, section 2 of Annual Return, approved by whole council?	Yes		20 <sup>th</sup> July 2020 minutes on website agenda item 16

7.6	Are all sections of the Annual Governance & Accountability Return published on the website?	No	Internal Audit page for 2019/20 missing from website finance section, recommend website is updated.	Website
7.7	Did council correctly provide for the exercise of public rights?	Yes	Recommend that the dates for the period of exercise of public rights in 2021 are reported to council and minuted.	Notice on website
7.8	Previous internal audit report reviewed by council and action taken where recommended?	Yes	Council noted report and requested that assets be listed on website (unable to confirm if this has been actioned, only found Land & Building assets on website using the search function)	20 <sup>th</sup> July 2020 minutes on website
7.9	Previous external audit report (for councils with turnover over £25,000) reviewed by council and action taken where recommended?	Yes	Recommend that the external audit report is taken to Full Council as it is Full Council that agrees the AGAR.	18 <sup>th</sup> January 2021 F&P Committee minutes

## 8. Other matters

Ref	Test	Meets reqmts? Yes, No or N/A	Internal Auditor's comments/recommendations	Evidence
8.1	Policies in place for compliance with GDPR, such as Data Protection Policy for Staff &	Yes		Data Protection Policy dated July 2018 on website ICO Registration Certificate

	Councillors and for the public?			
8.2	Is the Council a Managing Trustee?	No	Not a Managing Trustee	Advised by Clerk
8.3	Do trustees meet at least once a year and publish separate accounts?	N/A		
8.4	Website Accessibility Statement on website home page?	Yes		Website
8.5	Did council formally appoint GAPTC as the Internal Auditor?	Yes		18 <sup>th</sup> January 2021 F&P Committee Minutes
8.6	Are registers up to date for council-owned burial grounds and purchase of Exclusive Rights of Burials certificate completed?	Yes		Register of burials up to date 15/02/21 Purchase of new graves up to date 25/01/21 See sample of burial records in Transaction Checklist

## 9. Procedures

Ref	Test	Meets reqmts? Yes, No or N/A	Internal Auditor's comments	Evidence
9.1	Minutes – DPIs or	Yes		All minutes on website

	other interests recorded?			
9.2	Minutes initialled on each page and final page signed?	Yes		Full Council Minutes: 12 <sup>th</sup> May 2020, 23 <sup>rd</sup> June 2020, 20 <sup>th</sup> July 2020
9.3	List of members' interests held and published on the website?	Yes		Link from STC website to DC website
9.4	Agendas signed and displayed 3 clear days' prior to meeting?	Yes		Agendas on website eg 20 <sup>th</sup> July 2020, 1 <sup>st</sup> March 2021
9.5	Summons issued in proper format?	Yes		Agendas on website eg 20 <sup>th</sup> July 2020, 1 <sup>st</sup> March 2021

## Stroud Town Council - Sample of transactions

Clerk financial authority for up to £8k, payments approved retrospectively by F&P Committee on a quarterly basis.

### Expenditure

Chq no/BACS	Amount	Payee	Payment date	Date of approval in Minutes	Two signatures on cheque stub/two cllr authorisers for internet banking? Invoices initialled by signatories?	Bank Statement	VAT	Power to spend	S.137	OK?
BACS	£3,291.88	Play Gloucestershire	17/04/20	F&P 01/06/20	Invoice seen BACS authority not printed	Commercial April 2020	No	GPC	No	Y
BACS	£1,292.50	KJS Accountants	10/06/20	F&P 28/09/20	Invoice seen BACS authority not printed	Business June 2020	No	GPC	No	Y
BACS	£757.71	ITEC Support	13/07/20	F&P 28/09/20	Invoices x 4 seen BACS authority not printed	Business July 2020	Yes	GPC	No	Y
BACS	£1,134	Countrywide Maintenance	24/07/20	F&P 28/09/20	Invoice seen BACS authority not printed	Business July 2020	Yes	GPC	No	Y
BACS	£12,035.11	Leap Audio Ltd	05/08/20	F&P 28/09/20	Invoice seen BACS authority not printed	Business August 2020	Yes	GPC	No	Y
BACS	£15,600	First Greater Western Railway	06/08/20	F&P 28/09/20	Invoice seen BACS authority not printed	Business August 2020	Yes	GPC	No	Y
BACS	£172.26	Cotton Roots	08/10/20	F&P 14/12/20	Invoice seen BACS authority not printed	Business October 2020	Yes	GPC	No	Y
DD	£172.33	All Star	09/11/20	F&P 14/12/20	Invoice for £151.17 provided	Business Nov 2020	Yes	GPC	No	Y
BACS	£1,053	Green Tech Ltd	17/11/20	F&P 14/12/20	Invoice seen BACS authority not printed	Business Nov 2020	Yes	GPC	No	Y
BACS	£1,296	Lister Wilder	14/01/21	Not yet been to Cttee	Invoice seen BACS authority not printed	Business Jan 2021	Yes	GPC	No	Y



## Income

Name on invoice/name of payee	Receipt date	Amount	Receipts issued for cash payments?	Comments
28/04/20 Philip Ford & Son	21/05/20	£1176	Cheque	Paying in ref 500578
02/07/20 Abbey Memorials	02/07/20	£198	BACS	Paid direct into bank
17/08/20 SLCC refund	28/08/20	£42.00	BACS	Paid direct into bank
04/02/21 Philip Ford & Son	17/02/21	£422	Cheque	Paying in ref 500583

## BURIAL RECORDS (\* viewed via Zoom)

Name	Receipt date	Notice of interment	EROB	Burial Ledger*	Online records
Phelps	30/04/20	Yes	Not seen	Yes	Not checked
Swain	21/08/20	Yes	Yes Purchase Form	Yes	Not checked
Hefferman	17/09/20	Yes	Not seen	Yes	Yes
Vick	18/11/20	Yes	Not seen	Yes	Not checked
Woolfs	21/01/21	Yes	Yes Purchase Form	Yes	Yes

Recommend that the Lloyds BACS authorisation confirmation is printed/saved after each payment-run.

RISK ASSESSMENT AND MANAGEMENT REVIEW March 2021

RISK RATING	Severity	Column1	Column2
Likelihood	1	2	3
1	1	2	3
2	2	4	6
3	3	6	9

Area	Risk	LEVEL BEFORE likelihood	LEVEL BEFORE severity	OVERALL RATING	Action to reduce risk to as low as reasonably practicable	LEVEL AFTER likelihood	LEVEL AFTER severity	OVERALL RATING3	2021 updates
Assets	Accidental damage to physical assets - cost of repair and replacement	2	3	6	Building and contents insurance reviewed annually. Value increased annually by inflation. 28/04/14: Council reviewed and approved decision not to insure play equipment. Building insurance values reviewed by qualified surveyor 2016. Subscription Rooms was added 28/3/2019 and a building valuation was completed to establish rebuilding cost as required by insurance company.	1	2	2	Subscription Rooms was added 28/3/2019 and a building valuation was completed to establish rebuilding cost as required by insurance company.
Assets	Insecurity of buildings, equipment etc.	3	2	6	Office and depot alarmed. Equipment kept secure when on site. Business continuity plan adopted 2015.	1	2	2	Intruder alarm at Thanet House connected to monitoring system to provide additional protection when unoccupied. ACTION: Business continuity plan to be updated
Assets	Inadequate maintenance of buildings	2	2	4	Thanet House re-surveyed in 2011. Urgent work done. Further works carried out in 2013-14; Budget provision made for regular maintenance. Lansdown Hall (under management of working group) closely monitored and repairs carried out as necessary. Sheds,shelters inspected at least annually. Records of maintenance kept on file. Survey of Thanet House commissioned January 2016.	1	1	1	
Assets	Property rights	1	3	3	Dispute with neighbour regarding access for maintenance and license for services at Thanet House potential impact on value and saleability of property. Court action not required.	1	2	2	
Assets	Inadequate maintenance of boundary walls	3	3	9	Walls surveyed in 2017. Significant works required. Tenders for works going out 2018 and Public Works Loan sought to enable work to go ahead.	1	2	2	Contracts placed but not yet completed - final works to be completed Spring 2020. A register of walls and repairs including dates of next inspections in being developed. ACTION: complete register of walls and repairs
Assets	Asset transfers	3	3	9	Potential for acquisition of additional financial and legal liabilities in connection with the transfer of assets from other councils. Depending on the type of asset suitable and appropriate advice and reports sought from, for example: structural engineers, health and safety and HR advisors, solicitors, accountants and insurers.	1	2	2	
Assets	Tenants	3	2	6	<b>Risk of financial failure of tenants of community buildings (Lansdown Hall and the Subscription Rooms) resulting in early termination of leases, reputational risk to Council, and impact on staff capacity. There could be a need to take urgent possession of the properties and ensure their safety and security, which would have cost implications.</b>	3	2	6	Risk increased. NEW COVID-19 has placed significant financial pressure on community organisations that have had to close to the public. Government support many not be enough to keep them solvent. Mitigation: Council staff to maintain close contact with tenants, consider providing additional staff time and funding for support.
Data protection	Breach of data protection legislation. (New GDPR legislation May 2018)	3	2	6	Potential fines for breaches of data protection legislation. Deputy Clerk attended training. GDPR policies adopted.	2	2	4	
Finance	Banking failure	1	3	3	Current account banking with Lloyds TSB; Deposit moved to Nationwide after advice. Additional account opened 2016 with PSDF.	1	2	2	
Finance	Consequential loss	2	3	6	Insurance cover to provide new working space. Important records in fireproof safe. Minutes from 1990 to 1999 forwarded to County Records. Minutes from 1999 to 2003 have been copied to disc. Back-up system for documents from 2003 to date. Minutes converted to pdf at the end of each year. Business continuity plan adopted 2015	1	3	3	ACTION: Business continuity plan to be reviewed. ACTION: take out Cyber Insurance cover
Finance	Loss of cash (fidelity insurance)	1	2	2	Cover at £250,000 reviewed annually. Increased to £1m 2017	1	1	1	
Finance	Dishonesty or errors in financial procedures	1	3	3	Authorisation of payments separated from execution. Purchase Order system. Two cllr signatures on cheques. Transaction limit on debit card use. Quarterly Cllr review of procedures. Independent internal auditor appointed annually.	1	2	2	Electronic payments and suitable policies and procedures are now in place.
Finance	Lack of compliance with Customs and Excise	2	2	4	Included in computer accounting package. Advice of specialised accountant available when needed.	1	1	1	
Finance	Inadequate budgeting pre-precept	2	2	4	Budget setting process approved in advance by Council each year; Finance Committee scrutiny of draft budget followed by final approval at Council. Precept derived from this.	1	1	1	
Finance	Unauthorised borrowing	1	2	2	Previous through PWLB. All loans require authorisation of Council	1	1	1	
Finance	Lack of proper independent internal audit	1	2	2	Annual appointment approved by Council.	1	1	1	
Finance	Loss of accounting records	1	3	3	Off site automatic back-up.	1	2	2	

Finance	Inadequate Standing Orders and Financial Regulations	1	1	1	Regular review by F&P Committee .Financial Regulations reviewed at F&P March 2020 to reflect new model document.	1	1	1	Financial Regulations to be updated reviewed at Council April 2021 to reflect changes to model document.
Finance	Inadequate monitoring of expenditure	2	3	6	Monthly accounts prepared; reviewed every two months at Finance Committee	1	2	2	
Finance	Payments not legally compliant	1	2	2	Clerk advises. NALC helpline available	1	1	1	
Finance	Improper use of grants and S137	1	2	2	Clerk advises. NALC helpline available. Power of Competence from 10th Sept 2012. GPC renewed June 2020	1	1	1	
Finance	Improper management of investment	1	2	2	Clerk and Financial Administrator decide on amount and maturity of Lloyds TSB Treasury Deposits according to cash requirements. Strategy revised in November 2008 in response to banking crisis. Rolling investment account at NWBS. Authority to transfer funds in an emergency given to Clerk in consultation with specific councillors. Updated investment strategy adopted at Council May 2018. Current investments regularly reported to F&P Committee.	1	1	1	
Finance	Impact of economic downturns on investments	1	3	3	Risk to Council's investment capital of negative interest rates. Clerk to review investments monthly and move funds if necessary in line with Investment Strategy.	1	2	2	NEW CCLA have reported potential for negative interest rates in the wake of the COVID-19 pandemic.
Finance	Access to Council funds for emergency expenditure	1	3	3	Debit cards issued to Clerk, Deputy Clerk, Green Spaces Manager and Assistant Clerk, with varying expenditure limits to support emergency payments to protect council assets or services, in accordance with Financial Regulations	1	1	1	Additional card to be provided for Community Development Officer
Liability	Damage/injury to third party, property or individuals	3	3	9	Retained Health and Safety consultants, fulfilling 'competent person' role. Regular review of risk assessments. H&S review at meeting for all staff annually. Inspection records (trees, play areas, memorials) kept. Christmas light strain and electrical testing annually. Damage/danger reporting protocol for groundstaff. Accident reporting protocol for all staff. RoSPA safety inspections and risk assessments for play areas. Public liability insurance to include volunteers. H&S Working Group established 2016.	2	3	6	2020 Panic alarm installed at Thanet House to enable front of house staff to summon police in an emergency.
Liability	Compensation to employees	1	3	3	Employer's liability insurance in place.	1	1	1	
Liability	Lack of compliance with employment law	2	2	4	Retained HR consultants and legal support in place.	2	1	2	
Liability	Lack of compliance with HMRC	1	2	2	HMR advice checked through website. Independent internal auditor checks. Advice from NALC accountant when needed	1	1	1	
Liability	Failure to ensure safety of staff and visitors	1	3	3	Fire notices; exits clearly signed; fire risk assessments at recommended intervals; evacuation procedure agreed; fire drills; detection and fire-fighting equipment reviewed annually; other risk assessments under regular review	1	1	1	Fire risk assessment for Thanet House, including flats reviewed 2018. Depot FRA updated 30-07-2020 Action: update office FRA before occupying upper floors.
Liability	Failure to ensure safety of depot and Ground Staff	2	3	6	H&S risk assessments; Fire risk assessment; Protective clothing. Appropriate equipment and training.	1	2	2	
Legal	Acting outside legal powers	2	3	6	Clerk and Deputy Clerk attends regular training/updates and advices. Advice available from NALC via membership of GAPTC; and SLCC.	1	2	2	
Legal	Inadequate reporting through minutes	1	1	1	Draft minutes produced within two weeks. Circulated to members, media and posted on the website. Approved at next meeting.	1	1	1	
Legal	Inadequate document control	1	2	2	Minutes up to 1999 to be forwarded to County Records. From 1999 to 2003 to be digitally recorded and then originals forwarded to County Records. From 2003 to date to be backed up and stored off site. Deeds and other documents, including burial records, are held in the fireproof safe.	1	1	1	Action: deposit historic burial records with Gloucestershire Archives
Legal	Inadequate protection of data	2	3	6	Correspondence filed under 'parishioners'. Burial records updated regularly. Complaints about any matters in complaints file on computer in date order, accessible for purpose of follow up by staff only. Electoral Roll and other names and addresses securely stored with authorised access only. Privacy statement on website. GDPR policies adopted 2018.	1	2	2	
Councillor Propriety	Code of Conduct violations	1	2	2	SDC model Code of Conduct adopted 10/09/12; Copies supplied to all councillors; DPIs notified to SDC and available on STC website; declaration of interests is standing item on every agenda. Revised Code of Conduct adopted 2015 and reviewed in 2018. Updated process for handing complaints adopted October 2018 in response to Ledbury case.	1	1	1	
Councillor Propriety	Acceptance of improper gifts and hospitality	1	2	2	Register for hospitality/gifts established. Model policy adopted. Registration of interests standing item on every council meeting agenda.	1	1	1	
Other	Infectious disease (e.g. coronavirus)	1	3	3	Follow NHS advice and provide necessary supplies, e.g. hand sanitiser if required. Systems are in place so that staff are able to work at home where feasible.	1	2	2	
Other	Absence of Clerk	2	2	4	Deputy Clerk to undertake role with support of Councillors. Deputy Clerk employed April 2017	1	1	1	2020 Key Personnel cover added to insurance policy to cover Town Clerk. Capital Sum £100,000 Weekly Sum £500 for up to 10 weeks and £100 per week thereafter. Accident and Assault Cover

Other	Absence of Green Spaces Manager	2	2	4	Short term (4-6 weeks): A member of the team can 'act up'. Long-term: cover can be provided on contract or using agency staff.	1	1	1	
Other	This document becomes out of date	1	2	2	<b>Review annually at Council or in response to any significant changes, for example the acquisition of new assets or taking on new services.</b>	1	1	1	<b>ACTION Review at F&amp;P 22nd March 2021, and recommend to Council 19 April 2020</b>

Review dates

28/04/2014  
02/03/2015  
01/02/2016  
30/01/2017  
07/02/2018  
18/03/2019  
16/03/2020  
22/03/2021

# Temporary changes to delegation arrangements

## AUTHOR

Town Clerk

## CONSULTEES

None

## FOR MEETING

Council 26/4/2021

## RECOMMENDATION

It is recommended that from 7<sup>th</sup> May 2021 the following temporary changes are made until such time as a risk assessment, reviewed by the Council's Health and Safety Working Group, confirms that face-to-face meetings can reasonably be held:

- responsibilities currently delegated to Committees to be delegated to the Town Clerk,
- Committees to meet remotely as advisory groups to support and advise the Clerk,
- Full Council to meet physically, but only to deal with business which cannot legally be delegated to the Clerk or which is required to be conducted at the Annual Council meeting:
  - election of the Mayor and Deputy Mayor of the Council
  - signing off annual accounts and AGAR
  - raising loans and setting the precept
  - incurring capital expenditure not specifically included in the Council's approved estimates of expenditure for the time being
  - the appointment or dismissal of the Town Clerk/RFO
  - appointment of Committees, Chairs and Deputy Chairs thereof
  - appointment of Representatives on Outside Bodies
  - annual Subscriptions
  - Standing Orders and Financial Regulations as to the conduct of the Council's business
  - the Committee Structure including terms of reference, membership and voting rights
  - confirming eligibility to use the General Power of Competence
- District and County Councillors, who would normally present verbal reports to Full Council to be requested to submit written reports in advance of meetings
- The Town Clerk to keep a log of all decisions made under delegation, which will be reported to Full Council.

- Town Clerk will investigate and if possible put in place live streaming of physical meetings.
- Alternative venues will be sought for Council meetings to allow for social distancing.

## REPORT

At the beginning of the Covid-19 pandemic emergency legislation was enacted which confirmed the legality of Council and Committee meetings being held virtually, existing legislation having always been interpreted as requiring attendance in person.

This emergency legislation expires on 7<sup>th</sup> May and the government have stated that any extension would require primary legislation, which cannot be accommodated within the planned parliamentary timetable. Councils have been advised to plan for returning to physical meetings after 7<sup>th</sup> May and guidance has been issued on how to manage those meetings.

After the election on 6<sup>th</sup> May the Council is legally required to hold its Annual Council Meeting within 2 weeks of new councillors taking office on 10<sup>th</sup> May. The meeting date has been set as 11<sup>th</sup> May and St Laurence Church Hall has been booked for this.

On 25<sup>th</sup> March 2021 the Minister for Regional Growth and Local Government, Luke Hall MP, [wrote to councils](#) in England confirming that emergency legislation regarding virtual council meetings will not be extended. Updated [guidance](#) has been issued on the safe use of council buildings, highlighting ways councils that can use existing powers to reduce the number of face-to-face meetings, and how to minimise the risk where these are necessary.

At the same time a call for evidence was launched, about how remote meetings have been used during the pandemic, to “inform any potential future legislation regarding their use beyond the coronavirus outbreak”. The [consultation](#), which will close on 17 June 2021, has been circulated to councillors and staff so that they can contribute their personal experiences.

In the meantime a legal challenge to the government’s decision is being brought in the High Court by Lawyers in Local Government, the Association of Democratic Services Officers and Hertfordshire County Council over the ability of councils in England to hold remote meetings. The case will be heard on 21 April 2021.

Interestingly, the Ministry of Housing, Communities and Local Government have recognised that there is a case to be heard. Their view is that the Local Government Act 1972 should be interpreted as allowing for virtual meetings “as the legislation was passed at a time when virtual meetings could not have been envisaged”.



In the event that the legal challenge fails it will be necessary to return to physical meetings after 7<sup>th</sup> May 2021. It is clear, however, that the risk of Covid-19 transmission is likely to continue during May and at least until 21<sup>st</sup> June – the earliest date in the government’s roadmap out of lockdown for the removal of all restrictions, so any physical meetings in the meantime, will need to be carefully risk assessed and managed.

Members of the public and press will be permitted to attend any physical meetings that are held, so provision will need to be made for attendance. To minimise demand for space, meetings could be livestreamed for anyone wanting to observe the meeting, but not needing to be physically present.

The government guidance suggests to Councils that they make “Use of your existing powers to delegate decision making to key individuals such as the Head of Paid Service to minimise the number of meetings you need to hold”. This comes with the caveat that “certain decisions cannot be delegated and require a decision by full council”. NALC have also provided [guidance](#) on this.

It is therefore recommended that if the legal challenge fails the temporary changes set out in the Recommendation box above are put in place until such time as a risk assessment, reviewed by the Council’s Health and Safety Working Group, confirms that face-to-face meetings can reasonably be held.

## LEGAL IMPLICATIONS

The relevant legislation is the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#), which expire on 7 May 2021.

## FINANCIAL AND STAFFING IMPLICATIONS

There will additional costs involved in hiring alternative venues for meetings.

Staff will be consulted and their individual risk assessments will be used to determine whether or not they will be required to attend face-to-face meetings.

## EQUALITY IMPLICATIONS

None

## CO2 IMPLICATIONS

None

HB, 14/4/2021

# **Annual Town Meeting Arrangements 2021**

## **AUTHOR**

Town Clerk

## **CONSULTEES**

None

## **FOR MEETING**

Council 26/4/2021

## **RECOMMENDATION**

It is recommended that the Annual Town (or parish) Meeting is postponed until after Covid19 restrictions are due to be lifted, i.e. not before 21<sup>st</sup> June.

## **REPORT**

The Annual Town (or parish) Meeting is a meeting of all the local government electors for the Town, which the public can participate in. It is NOT a Meeting of the Parish Council, although it falls to the Council to organise it.

The legally requirement is for a meeting to be held between 1st March and the 1st June (inclusive). In Stroud it normally takes place in May and is combined with the Annual Awards. This year it was scheduled to take place on 19<sup>th</sup> May.

The emergency legislation referred to the previous report relating to holding remote meetings, also applies to the Annual Town Meeting, so unless the legal challenge is successful, if the meeting takes place after 7<sup>th</sup> May it may not be held remotely.

NALC advice suggests bringing meetings forward so that they can be held online, but it is not normally considered good practice to hold Town Meetings during the pre-election period.

If the meeting does not take place during the required period the risk to the Council of legal action based on the legislation is negligible. It is therefore recommended that the meeting is postponed until at least 21<sup>st</sup> June, so that it can be held face-to-face when the risk from coronavirus has abated.

## **LEGAL IMPLICATIONS**

Most of the relevant legislation which governs Parish Meetings is in Part III of Schedule 12 to the Local Government Act 1972.

## **FINANCIAL AND STAFFING IMPLICATIONS**

No financial implications/



Staff will be consulted and their individual risk assessments will be used to determine whether or not they will be required to attend face-to-face meetings.

## EQUALITY IMPLICATIONS

None

## CO2 IMPLICATIONS

None

HB, 19/4/2021



# **ANNUAL GENERAL MEETING**

**Saturday, 24<sup>th</sup> July 2021 at 10.30 am  
Highnam Community Centre**

## **CALL FOR RESOLUTIONS**

**This is an invitation to your Council to consider  
submitting a RESOLUTION for debate at the  
Annual General Meeting**

**RESOLUTIONS, as approved by your Council,  
should be emailed and must be received in this  
office by**

**Friday, 7th May 2021**

Your resolution becomes a 'proposal' to our AGM, where it is presented by a member of your Council, debated and any action agreed.

Your topic for debate can be one affecting national or local policies, or the way GAPTC itself is run. If it relates to the work of NALC, it should not be one that is already included in NALC's current list of policies (attached).

Alison Robinson  
Chief Executive Officer  
Gloucestershire Association of Parish and Town Councils  
Cranham House, Falcon Close  
Quedgeley, Gloucestershire  
GL2 4LY

**Email: [info@gaptc.org.uk](mailto:info@gaptc.org.uk)**