



# NORTH WALSHAM TOWN COUNCIL

## Minutes of the Council Meeting

held on Tuesday 29<sup>th</sup> April 2025 at Cedar House, 3 New Road, North  
Walsham NR28 9DE

### Present:

<b>Town Councillors:</b>	Cllr Wright (Chair)	Cllr Heinrich	Cllr Brand
	Cllr Seward	Cllr Richardson	Cllr Beach
	Cllr Ginbey	Cllr J Reid	Cllr Scannell

**District Councillors:** Cllr Leith, Cllr Penfold, Cllr Shires

**County Councillor:** Cllr Penfold, Cllr Shires

**Town Clerk:** Wendy Murphy, Jasmine Dewbery (Assistant Clerk)

**Members of Public:** 6 + 2 members of staff

The meeting opened at 18.30.

- APOLOGIES FOR ABSENCE** - (To be recorded, the Lead Officer should be notified no later than 17:00 on the day of the meeting)  
Cllr Dibben
- DECLARATIONS OF INTERESTS & REQUESTS FOR DISPENSATIONS** - (Standing Orders: 13b-pecuniary interest; 13c-personal interest if the code of conduct requires; Councillors will leave the meeting for the item, unless a dispensation is granted)  
Personal interests: Cllr Seward – North Walsham In Bloom, Paul Heinrich – planning applications.  
Dispensation: None  
Pecuniary interests: None
- MINUTES** - (Standing Order: 3t vii-approve resolutions made as an accurate record; Standing Order: 12a-emailed with agenda, taken as read)  
It was proposed by Cllr Wright and seconded by Cllr Heinrich with all in favour, it was RESOLVED to accept the minutes of 25<sup>th</sup> March 2025.
- TO RECEIVE INFORMATION ON MATTER ARISING FROM PREVIOUS MEETINGS NOT ON THE AGENDA**  
Clerks Report received.  
Wendy Murphy (Town Clerk) has been asked to join the Norfolk SLCC executive committee.
- TO RECEIVE MAYOR'S ANNOUNCEMENTS**  
Reminder about Children's Day.
- TO AGREE TWO CO-OPTIONS**  
It was proposed by Cllr Wright and seconded by Cllr Beach with all in favour, it was RESOLVED to co-opt Terry Scannell and Julia Reid as new Councillors.
- OPEN FORUM FOR PUBLIC PARTICIPATION**
  - District Councillors:**



# NORTH WALSHAM TOWN COUNCIL

## Minutes of the Council Meeting

held on Tuesday 29<sup>th</sup> April 2025 at Cedar House, 3 New Road, North Walsham NR28 9DE

**Cllr Shires** – Focusing on assisting people struggling financially, particularly unable to pay rent or council tax. Yarmouth Road development update.

Yarmouth Road developers via Teams

**Cllr Leith** – Discussed Local Plan hearing. Update on future Greener Streets projects. A total of 420 trees were planted this year including some hedging.

**Cllr Heinrich** – Planning update regarding Mundesley Road. All relevant objections raised at the hearing, and alternative sites recommended. Colitshall issues also present an issue with Mundesley Road development.

**(Cllr Seward)** – Further update from planning hearing for Mundesley Road development. Suggesting a relief road around Colitshall.

### 7.2. County Councillors:

**Cllr Penfold** – Devolution and Local Government Reorganisation discussions still ongoing. Highways updates: Norwich Road junction works on track to be completed 23<sup>rd</sup> June. The mini round about and splitter will be reinstated at the top of Grammar School Road on completion. Millfield Road cones have been requested to be replaced and area cleaned. Cromer Road cones have improved traffic flow. Skepton New Road issues continue. Additional signage will be coming to highlight the restricted zone in the Market Place.

**Cllr Shires** - Discussed New Road closures as per public question. Discussed flooding issues at Lynfield Road and Bradfield Road. The legal team has been advised to proceed with purchasing the land necessary to combat the issue. Infrastructure collapse updates: Bradfield Road was resolved in March. Mayfield Way was resolved in April. Spencer Avenue and Leicester Close are proposed for June due to the ground being too wet currently. Flood report 2023 being investigated. Social care update.

### 7.3. Police – none

### 7.4. Public – (Standing Orders: 3e-Items on this agenda; 3f-Total duration max 15mins; 3g-Max 3mins per person; 3h-Questions do not require a response at this meeting)

Questions regarding New Road closures (answered above).

## 8. FINANCE

**8.1** It was proposed by Cllr Wright and seconded by Cllr Beach, with all in favour to approve the expenditure since March meeting.

**8.2** Bank Reconciliation up to 31/03/2025 received.

**8.3** Receipts and Payments summary received.

## 9. CORRESPONDENCE AND ITEMS FOR INFORMATION ONLY

### 9.1. Correspondence –

Letter regarding Post Office opening times – NWTC supports this but have no jurisdiction.

**9.2. Clerk's decisions** - (by either Financial Regulation 4.1-In conjunction with Council Chair / Deputy Chair or Committee Chair within budget under £1,500; OR 4.5-Urgent, essential, health & safety or if the Clerk deems necessary)

Extra tree cutting at Cemetery £500

## 10. TO DISCUSS AND AGREE RECOMMENDATIONS FROM E&T WORKING GROUP

E&T summary report received.

**10.1** It was proposed by Cllr Beach and seconded by Cllr Ginbey, with all in favour to approve NWTC taking on the Yard Sale previously run by North Walsham Play.



# NORTH WALSHAM TOWN COUNCIL

## Minutes of the Council Meeting

held on Tuesday 29<sup>th</sup> April 2025 at Cedar House, 3 New Road, North Walsham NR28 9DE

10.2 It was proposed by Cllr Wright and seconded by Cllr Richardson, with all in favour to approve NWTC taking on the Easter Egg Hunt previously run by North Walsham Play.

### **11. TO DISCUSS AND AGREE RESPONSES TO PLANNING APPLICATIONS UP TO 24<sup>TH</sup> March 2025**

11.1 PF/25/0580 – It was proposed by Cllr Seward and seconded by Cllr Wright, with all in favour to object until Highways have clarified, although if going ahead NWTC does support a 2m fence.

11.2 PF/25/0792 – It was proposed by Cllr Wright and seconded by Cllr Ginbey, with all in favour to respond as no objection.

11.3 PF/25/0613 – It was proposed by Cllr Wright and seconded by Cllr J Reid, with all in favour to respond as no objection.

11.4 PF/25/0673 – Yarmouth Road developers' presentation via Teams. It was proposed by Cllr Wright, and seconded by Cllr Ginbey, with all in favour to support this application.

### **12. TO DISCUSS STREET LIGHTING ON NURSERY DRIVE DEVELOPMENT AND AGREE TO ADOPT LIGHTING TO BE INSTALLED BY DEVELOPERS, AND WHETHER NWTC WANTS ADDITIONAL LIGHTING ON SIDE STREETS**

Cllrs reminded by Town Clerk that discussion of agenda matters should take place in the meeting and not via email.

Safety issues raised. Cllr J Reid advocated for women's safety. NWTC agree that these roads should be lit, but it is responsibility of NCC – Highways to install the lights. Discussion around setting a precedent for other developments.

### **13. TO AGREE QUOTE FOR BI-FOLDING DOORS IN THE OFFICE FOR £1100 TO CREATE A PRIVATE SPACE FOR CONFIDENTIAL MEETINGS ETC**

It was proposed by Cllr Wright and seconded by Cllr Ginbey, with all in favour to agree this quote for the bi-fold doors.

### **14. TO ADOPT THE NEW VEXATIOUS COMPLAINTS POLICY**

It was proposed by Cllr Brand and seconded by Cllr Heinrich, with all in favour to agree the Vexatious Complaints Policy.

### **15. TO DISCUSS, REVIEW AND AGREE WELFARE UNIT AS MORE EQUIPMENT/SERVICES ARE NECESSARY**

It was proposed by Cllr Ginbey and seconded by Cllr J Reid, with all in favour to agree quote B (new) provided that any planning issues are resolved, and Anglian Water accept new plumbing.

### **16. TO RECEIVE AN UPDATE ON DBS APPLICATIONS, AND AGREE ANY ACTIONS NEEDED REGARDING OBSTACLES FACED**

Updates received and forms given out to Cllrs who needed them. Support from office team offered to anyone needing technical assistance.

### **17. TO RECEIVE AND AGREE A GRANT APPLICATION FROM THE NORTH WALSHAM COMMUNITY NETWORK**

It was proposed by Cllr Seward and seconded by Cllr Ginbey, with all in favour to accept this grant application.

### **18. TO DISCUSS AND AGREE ANY UPDATES REGARDING THE TENNIS COURTS**



# NORTH WALSHAM TOWN COUNCIL

## Minutes of the Council Meeting

held on Tuesday 29<sup>th</sup> April 2025 at Cedar House, 3 New Road, North  
Walsham NR28 9DE

Agreement to make up some signage designating timings (instead of locking courts) after contacting the other tennis coaches.

### 19. TO DISCUSS OPTIONS FOR MEN'S SHED VENUE

The issue was discussed, but unfortunately, NWTC do not own any property suitable to offer.

### 20. ITEMS FOR NEXT AGENDA/LATE ITEMS FOR DISCUSSION ONLY - (Standing Orders: 9b-Agenda items to be received at least 7 clear days before the meeting; 9f-The Proper Officers decision whether to include the items on the agenda shall be final)

Neighbourhood Plan Working Party.

FunDay Procession application process.

### 21. DATES OF FORTHCOMING MEETINGS

Developments & Amenities Committee – Tuesday 13<sup>th</sup> May 6.30pm

Events & Tourism Working Group – Thursday 15<sup>th</sup> May 6.30pm

Annual Town Council Meeting – Tuesday 27<sup>th</sup> May 6.30pm

### 22. TO CONSIDER PASSING A RESOLUTION, IN ACCORDANCE WITH THE PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960 THAT THE PUBLIC AND PRESS TO BE EXCLUDED FROM THE MEETING FOR THE FOLLOWING ITEMS BY REASON OF THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE TRANSACTED

22.5 To discuss a request from Police.

It was proposed by Cllr Brand and seconded by Cllr J Reid, with all in favour to agree 50% of request from Police.

22.4 To receive any other staffing updates.

Updates received.

22.3 To discuss Head Groundsperson position and agree pay scale and actions moving forward.

It was proposed by Cllr J Ried and seconded by Cllr Wright, with all in favour to agree pay scale and to advertise position.

22.2 To discuss temporary RFO position

Cllrs Beach and Ginbey left the meeting.

It was proposed by Cllr Brand and seconded by Cllr Richardson, with all in favour to agree Wendy Murphy to take on the role of Town Clerk/RFO and associated pay scale.

22.1 To receive confidential correspondence, and to discuss and agree outcome.

Correspondence received and discussed. Cllr Wright to seek advice from Croner.



# NORTH WALSHAM TOWN COUNCIL

## Minutes of the Council Meeting

held on Tuesday 29<sup>th</sup> April 2025 at Cedar House, 3 New Road, North  
Walsham NR28 9DE

22.6 It was proposed by Cllr Wright and seconded by Cllr Heinrich with all in favour to accept the Worknest invoice as the final invoice.

**The meeting closed at 21.20**

DRAFT



# NORTH WALSHAM TOWN COUNCIL

## Minutes of the Extra Ordinary Council Meeting

held on Tuesday 13<sup>th</sup> May 2025 at Cedar House, 3 New Road, North  
Walsham NR28 9DE

### Present:

**Town Councillors:** Cllr Wright (Chair) Cllr Brand Cllr Heinrich  
Cllr Seward Cllr Richardson Cllr Scannell  
Cllr J Reid Cllr Dibben (arrived 18:25)

**District Councillors:** None

**County Councillor:** None

**Town Clerk:** Wendy Murphy, Jasmine Dewbery (Assistant Clerk)

**Members of Public:** 2 + 1 member of staff

The meeting opened at 18.00.

1. **APOLOGIES FOR ABSENCE** - (To be recorded, the Lead Officer should be notified no later than 17:00 on the day of the meeting)  
None
2. **DECLARATIONS OF INTERESTS & REQUESTS FOR DISPENSATIONS** - (Standing Orders: 13b-pecuniary interest; 13c-personal interest if the code of conduct requires; Councillors will leave the meeting for the item, unless a dispensation is granted)  
Personal interests: None  
Dispensation: None  
Pecuniary interests: None
3. **UPDATE ON CO-OPTION OF COUNCILLORS**  
Update provided. 4 potential candidates to interview for co-option.
4. **TO CONSIDER PASSING A RESOLUTION, IN ACCORDANCE WITH THE PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960 THAT THE PUBLIC AND PRESS TO BE EXCLUDED FROM THE MEETING FOR THE FOLLOWING ITEMS BY REASON OF THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE TRANSACTED**  
Discussion and agreement on confidential matter.

It was proposed by Cllr J Reid and seconded by Cllr Heinrich, with a majority vote to agree to ask Croner to investigate and make a recommendation on basis of confidential letter received for Full Council to consider.

**The meeting closed at 18:38**

## **Town Clerk's Report – 27.05.2025**

- The legionella water tests for the drinking fountain have come back clear, and this has been turned on for the public to use now.
- The plans for the cable wires across the Market Place have been sent to Couzens to review.
- Further communication has been sought from Highways regarding the Cromer Road New Cemetery.
- Many thanks to the 'Guerrilla Gardener' Simon Weal for replanting and maintaining the hanging baskets around town again this year.
- The welfare unit for the Grounds Team has been ordered, and we are awaiting a response from Anglian Water regarding plumbing.
- The NWTC staff team took their emergency first aid course on Monday 19<sup>th</sup> May which was very informative and great team building exercise.
- There has been two benches installed in the St Nicholas Church gardens alongside the hedge near the Shambles Slope.
- The lettering for the Memorial Arch has been ordered.
- The D Day bench has been installed and the VE/VJ Day bench has been received, which will be installed near the D Day bench shortly. We will monitor their usage and any issues for the foreseeable future.
- The two new noticeboards for the cemetery have been ordered.
- Cllr Scannell has reported to PC Sergeant about the issues on Spencer Road caused by parents parking at school times and the impatience of drivers. This will be monitored.
- The Rocking Horse is due to be completed in early June. Details of reinstallation to be confirmed.
- Two members of the Grounds Team completed their Playground Inspection training on Friday 16<sup>th</sup> May.
- The Norwich Road works are still on track and due for completion on 23<sup>rd</sup> June.



# NORTH WALSHAM TOWN COUNCIL

## Meeting Calendar Dates 2025/2026

Full Council meetings are usually held on the last Tuesday of every month and Committee's meetings are held on alternative dates during the month. There are no meetings in August when Council takes a recess.

Meetings generally start at 18:30, but this may vary. Times and dates will be confirmed on the public notice (Agenda).

All dates are subject to change, and extra meeting dates may be added. Public notices will be kept within the legal requirement of '3 clear days' of any meeting.

All Council meetings are held at the Council Offices, 18 Kings Arms Street, North Walsham, unless notified otherwise.

<b><u>MAY 2025</u></b> Tues 27    Annual Full Council Meeting	<b><u>DECEMBER 2025</u></b> Tues 16    Full Council Meeting
<b><u>JUNE 2025</u></b> Tues 10    Finance Committee Tues 24    Full Council Meeting	<b><u>JANUARY 2025</u></b> Tues 6    Finance Committee Tues 20    Development & Amenities Committee Tues 27    Full Council Meeting
<b><u>JULY 2025</u></b> Tues 1    Development & Amenities Committee Tues 8    Personnel Committee Tues 29    Full Council Meeting	<b><u>FEBRUARY 2025</u></b> Tues 24    Full Council Meeting
<b><u>AUGUST 2025</u></b> RECESS	<b><u>MARCH 2025</u></b> Tues 3    Finance Committee Tues 17    Development & Amenities Committee Tues 31    Full Council Meeting
<b><u>SEPTEMBER 2025</u></b> Tues 2    Finance Committee Tues 16    Development & Amenities Committee Tues 30    Full Council Meeting	<b><u>APRIL 2025</u></b> Thurs 9    Annual Town Meeting    tbc Tues 25    Full Council Meeting
<b><u>OCTOBER 2025</u></b> Tues 28    Full Council Meeting	<b><u>MAY 2025</u></b> Tues 226    Annual Full Council Meeting
<b><u>NOVEMBER 2025</u></b> Tues 4    Finance Committee Tues 18    Development & Amenities Committee Tues 25    Full Council Meeting	

Other Committee meetings will be held as required with the statutory 3 clear days' notice, so that any members of the public who wish to attend, can attend





# NORTH WALSHAM TOWN COUNCIL

## Terms of Reference - Chair & Deputy Chair

Adopted by the Council at its meeting held on 30.4.19

### Introduction

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At the annual Full Council meeting the first item of business is to elect the Town Mayor (Chair of the Council) and the Second item of business is to elect the Deputy Mayor (Vice Chair of the Council) from amongst the other Councillors at that meeting.

The previous Chair remains in office until his successor is elected. If the previous Chair hasn't been elected as a Councillor onto the new Council, they do not have the right to vote for the new Chair, unless there is an equality of votes, then they have the casting vote.

The previous Chair must preside at the meeting until the new Chair has been voted in, and then the new Chair presides the meeting. The Chair must preside any Full Council meeting which they attend.

In the event of any business having a tied vote, the Chair has the casting vote, in addition to their own vote as a Councillor. This is so the Council can never be deadlocked since there is always a Chair with the casting vote.

There is no legal requirement that the Chair has to use their own vote or casting vote in any particular way. Also there is no legal prohibition against them using their own vote or casting vote in their favour.

The Chair and Vice Chair are not automatically elected onto any Committee's as ex-officio and must be nominated onto any of the Councils Committees in their own right.

If the Chair of the Council is elected on to any of the Councils Committees, unless the Standing Orders say otherwise they can automatically become the chair of the relevant Committee. If the Committee wants to independently elect a Chair and Vice Chair, this should be stated to that effect in the standing orders and the Terms of Reference of the Committee.

The Mayor and Deputy Mayor have the right to attend any of the Committees they are not elected on in order to have an overview of the day to day running of the Council. They are not allowed to vote at these Committees and have no more rights than a member of the public. They are not permitted to speak, unless asked their opinion is asked for by the Chair of the Committee.

### Roles and Duties

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In addition to their normal duties and obligations as a full member of the council, the Mayoral role is to represent the TC in a ceremonial capacity with the listed additional responsibilities of:-

- Chairing the Full Council meeting
- Oversee the Council as a whole and make sure all Councillors are doing their duties
- Liaising with the Proper Officer on agenda items for Full Council meetings
- Signing approved Full Council minutes
- Signing approved monthly payments and receipts
- Cheque signatory
- Initialing paid invoices and cheque stubs
- Signing year end accounts
- Signing relevant correspondence
- Signing off the monthly wages



# NORTH WALSHAM TOWN COUNCIL

## Standing Orders - adopted from NALC model 2018 (revised April 2023)

Adopted by the Council at its meeting held on 24.4.18

	Page No.
1. Rules of Debate of Meetings	2
2. Disorderly Conduct at Meetings	3
3. Meetings Generally	3
4. Committees and Sub-Committees	6
5. Ordinary Council Meetings	7
6. Extraordinary Meetings of the Council, Committees and Sub-Committees	8
7. Previous Resolutions	9
8. Voting on Appointments	9
9. Motions for a meeting that require written notice to be given to the Proper Officer	9
10. Motions at a meeting that do not require written notice	10
11. Management of Information	10
12. Draft Minutes	11
13. Code of Conduct and Dispensations	11
14. Code of Conduct Complaints	12
15. Proper Officer	13
16. Responsible Financial Officer	14
17. Accounts and Accounting Statements	14
18. Financial Controls and Procurement	15
19. Handling Staff Matters	16
20. Responsibilities to Provide Information	17
21. Responsibilities under Data Protection Legislation	17
22. Relations with the Press/Media	17
23. Execution and Sealing of Legal Deeds	18
24. Communication with District and County Councillors	18
25. Restrictions on Councillors Activities	18
26. Standing Orders Generally	18
27. Planning Applications	18

**Key Code for text:-**

**BOLD – Legislation and cannot be changed**

# 1 Rules of Debate at Meetings

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- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- 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 Chair 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 Chair of the meeting, is expressed in writing to the Chair.
- h. A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair 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 Chair of the meeting.
- k. One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.
- 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 Chair of the meeting, a Councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another Councillor.
  - ii. to move or speak on another amendment if the motion has been amended since they 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.

- q. A point of order shall be decided by the Chair of the meeting and his decision shall be final.
- r. When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion.
  - ii. to proceed to the next business.
  - iii. to adjourn the debate.
  - iv. to put the motion to a vote.
  - v. to ask a person to be no longer heard or to leave the meeting.
  - vi. to refer a motion to a committee or sub-committee for consideration.
  - vii. to exclude the public and press.
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s. Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t. Excluding motions moved understanding order 1(r), the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed **[5]** minutes without the consent of the Chair of the meeting.

## 2 Disorderly Conduct at Meetings

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- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregards the request of the Chair of the meeting to moderate or improve their conduct, any Councillor or the Chair 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 Chair 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

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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.**
- 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**  
OR [The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].
- 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) above shall not exceed [15] minutes unless directed by the Chair of the meeting.
- g. Subject to standing order 3(f) above, a member of the public shall not speak for more than [3] minutes.
- h. In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
- i. A person shall raise his hand when requesting to speak.
- j. A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
- k. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- 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 Chair of the Council may in his absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- p. ● **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair 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 Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not they gave an original vote.**  
*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*
- s. ● **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- t. The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting.
  - ii. the names of Councillors who are present and the names of Councillors who are absent.
  - iii. interests that have been declared by Councillors and non-Councillors with voting rights.
  - iv. the grant of dispensations (if any) to Councillors and non-Councillors with voting rights.
  - v. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered.
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- u. ●●● **A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- v. ● **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**  
*See standing order 4d (viii) below 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 should not exceed 2 Hours.
- y. ●●● Councillors not attending any meetings of Full Council or Committee for a 6-month period, will cease to be a member of the Council, unless their emailed apologies have been accepted. (Council minutes 26.11.19, 7.6.4.1)

## 4 Committees and Sub-Committees

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- a. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b. **The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.**
- c. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.**
- d. The Council may appoint 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 5 days before the meeting that they are unable to attend.
- vi. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee.

OR (Council minutes 15.4.21, item 4.8)

- vii. shall permit a committee other than a standing committee, to appoint its own Chair 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. If a Councillor misses 3 consecutive meetings of any individual Committee, they will be removed from the relevant Committee and a new member will be elected at the following Council Meeting (Council minutes 26.11.19, 7.6.4.2)
  - f. The Proper Officer appoints Lead Officers and oversee' s all Committees and appointed Lead Officers where necessary (Council minutes 28.7.20, 7.8.1)
  - g. Councillors who have a relative/partner employed by the Town Council cannot be a member of the Personnel Committee, or Chair any Committee when the relative/partner is Lead Officer (Council minutes 29.9.20, 7.3)
  - h. Councillors can only be Chair of Council or 1 Committee and sit on a maximum of 3 Committees. Starting at the Annual Council meeting May 2021 (Council minutes 28.7.20, 7.8.3)
  - i. Order of business format for a committee, the first 5 items will be: -
    - 1. Apologies for absence
    - 2. Declarations of interest and requests for dispensations
    - 3. Approve minutes of previous meeting
    - 4. Update on matters from previous minutes (Decision/Action Log)
    - 5. Update on Committee Budget

Except at the first meeting of the mayoral year when a new Chair is to be elected (Council minutes 28.7.20, 7.8.4)

## 5 Ordinary Council Meetings

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- a. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the Councillors elected take office.
- b. In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- c. If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d. In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.
- e. The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice Chair (if there is one) of the Council.
- f. The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- g. The Vice Chair of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- h. In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.
- i. In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
- j. Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
  - i. In an election year, delivery by the Chair of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date.
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council.
  - iii. Receipt of the minutes of the last meeting of a Committee.
  - iv. Consideration of the recommendation 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.
  - 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 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
- k. During the August Recess the Clerk shall be given delegated powers to deal with any urgent business in consultation with either the Mayor, Deputy Mayor or Chairs of Committees. (Council minutes 31.7.18, 6k). All decisions will be reported to the next Council meeting (Council minutes 15.4.21, 4.8)

## 6 Extraordinary meetings of the Council, Committees and Sub-Committees

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- a. **The Chair of the Council may convene an extraordinary meeting of the Council at any time**
- b. **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two Councillors.**
- c. The Chair 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 chair of a committee [or a sub-committee] does not call an extraordinary meeting within [7] 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

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- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least [50% of serving] 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. (Council minutes 15.4.21, 4.8)
- 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.

## **8 Voting on Appointments**

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- 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 Chair of the meeting.
- b. All positions to be filled by the Council, including committees may be filled by initialled ballot papers in the case of more nominations than positions. (ToR's adopted Council minutes 24.4.18)

## **9 Motions for a meeting that require written notice to be given to the Proper Officer**

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- 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 [7] 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 Chair 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**

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- a. The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i. to correct an inaccuracy in the draft minutes of a meeting.
  - ii. to move to a vote.
  - iii. to defer consideration of a motion.
  - iv. to refer a motion to a particular committee or sub-committee.

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

## 11 Management of Information

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*See also standing order 20.*

- a. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c. **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d. **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

## 12 Draft minutes

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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) above.

- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:  

“The Chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his 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.
- g. Council Minutes shall be published on the Town Council website not later than one month after the meeting has taken place (Council minutes 29.5.19).

## 13 Code of Conduct and Dispensations

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*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.
- b. Unless they have 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c. Unless they have 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 they have another interest if so required by the Council’s code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e. A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [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 [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [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.**

## 14 Code of Conduct Complaints

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- a. **Upon notification by the Principal 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 them. Such action excludes disqualification or suspension from office.**
- b. Where the Code of Conduct breach is against a member of staff, such actions can include limiting access and contact with all Town Council employees. The Proper Officer shall, subject to standing order 11, report this to the Council. (Council minutes 30.4.19, item 6d)
- c. Where the notification in Standing Order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- d. 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.
- e. **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 them. Such action excludes disqualification or suspension from office.**
- f. Behaviour that is considered bullying by one may be considered firm management by another. Examples of unacceptable behaviour are intimidation, humiliation, excessive criticism, dictatorial behaviour, haranguing, general discourtesy. This can be face to face, by email or even over the phone. If this happens the Clerk in consultation with the Chair of the Council is empowered to take whatever steps deemed necessary to prevent re-occurrence and such measures could include no communication with the individual concerned, COC etc. (Council minutes 26.11.19, 7.6.4.3)

## 15 Proper Officer

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- a. The Proper Officer shall be either (i) the Clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent. In the absence of the Clerk the Assistant shall be Proper Officer.
- 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 received unless a Councillor has given written notice at least [5] days before the meeting confirming his withdrawal of it.
  - iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office.**
  - iv. **facilitate inspection of the minute book by local government electors.**
  - v. **receive and retain copies of byelaws made by other local authorities.**
  - vi. hold acceptance of office forms from Councillors.
  - vii. hold a copy of every Councillor's register of interests.
  - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures.
  - ix. liaise as appropriate with the Council's Data Protection Officer (if there is one);
  - 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 in a book for such purpose.
  - xv. refer a planning application received by the Council to the [Chair or in their absence the Vice Chair (if there is one) of the Council] OR [email to whole Council] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council];
  - xvi. manage access to information about the Council via the publication scheme; and

- xvii. 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

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- 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

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- 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:
- i. the Council's receipts and payments (or income and expenditure) for each quarter.
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date.
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. 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 2 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. 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

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- a. of the The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect 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 [60,000] 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. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - iv. 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;
  - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**
- f. The Clerk may authorise any purchases within budget, (Fin Reg 5.15)
- g. The Clerk may authorise any essential/urgent work where specific grounds exist e.g. health & safety emergencies. (Council minutes 28.7.15, para 7d) (Council minutes 23.9.19, 6c,i)

## 19 Handling Staff Matters

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- a. A matter personal to a member of staff that is being considered by a meeting of [Council] OR [the Personnel 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 Chair of [the Personnel Committee] OR [the ( ) sub Committee], or, if they are not available, the Vice-Chair (if there is one) 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 Chair of [the Personnel Committee] plus one or two Councillors OR [the ( ) sub Committee], or



in his absence, the Vice-Chair plus one or two Councillors, shall upon a resolution conduct a review of the performance and annual appraisal of the work of the [Proper Officer]. 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 Chair of [the Personnel Committee] OR [the ( ) sub-Committee] or in his absence, the Vice-Chair 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 [Proper Officer] relates to the Chair or Vice-Chair of [the Personnel Committee] OR [the ( ) sub-Committee], this shall be communicated to another 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

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*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. **[If gross annual income or expenditure (whichever is the higher) exceeds £200,000] The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**
- c. Requests from Councillors for information should be addressed in the first instance to the Chair of the relevant committee or the Chair of the Council. (Council minutes 30.4.19, item 6d)
- d. The Council operates from a shared premise and therefore access by Councillors to the Council offices and Staff is strictly by appointment only. If the issue is of an urgent or emergency nature, access will be the sole responsibility of the Town Clerk. Councillors are reminded that they must sign in and out of the office. (Council minutes 30.4.19, item 6d)
- e. Councillors are not to request information that is readily available in the public domain and should refrain from making numerous requests under FOI as this could be deemed to be a vexatious action as defined under the FOI guidelines. If multiple requests are received the FOI guidelines will be abided by. (Council minutes 30.4.19, item 6d) A Vexatious Policy was adopted April 25.

## 21 Responsibilities under Data Protection Legislation

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(Below is not an exclusive list)

*See also standing order 11.*

- a. The Council may appoint a Data Protection Officer.
- b. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**

- c. The Council shall have a written policy in place for responding to and managing a personal data breach.
- d. The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e. The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f. The Council shall maintain a written record of its processing activities.

## 22 Relations with the Press/Media

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- 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

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*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 require by law. It shall be applied by the Proper Officer in the presence of two Councillors who shall sign the deed as witnesses].**

*The above is applicable to a Council with a common seal.*

## 24 Communicating with District and County Councillors

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- 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 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 OR Unitary Council shall be sent to the ward Councillor(s) representing the area of the Council.

## 25 Restrictions on Councillor Activities

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- 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

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- 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 [50% of serving] Councillors to be given to the Proper Officer in accordance with standing order 9. (Council minutes 15.4.21, 4.8)

- 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 Chair of a meeting as to the application of Standing Orders at the meeting shall be final.

## **27 Planning Applications**

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- a. All minor planning applications will be consulted upon by the whole Council via email with any responses being uploaded to the planning portal. (Council minutes 25.1.22, 7.9)
- b. Any Major or controversial planning applications (time restrictions allowing) will be discussed at the Council's monthly meeting. If time restrictions require a meeting before the Council's monthly meeting an Extraordinary meeting of the Council will be called. (Council minutes 26.11.19, 7.4)



# NORTH WALSHAM TOWN COUNCIL

## Financial Regulations

Adopted by the Council at its meeting held on 30.07.24

### 1. General

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

- ensures the accounting control systems are observed;
  - ensures the accounting records are kept up to date;
  - seeks economy, efficiency and effectiveness in the use of council resources; and
  - produces financial management information as required by the council.
- 1.6. **The council must not delegate any decision regarding:**
- **setting the final budget or the precept (council tax requirement);**
  - **the outcome of a review of the effectiveness of its internal controls**
  - **approving accounting statements;**
  - **approving an annual governance statement;**
  - **borrowing;**
  - **declaring eligibility for the General Power of Competence; and**
  - **addressing recommendations from the internal or external auditors**
- 1.7. In addition, the council shall:
- determine and regularly review the bank mandate for all council bank accounts;
  - authorise any grant or single commitment in excess of £5,000; and

## **2. Risk management and internal control**

- 2.1. **The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**
- 2.2. The Clerk/RFO shall prepare, for approval by [the council], a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.
- 2.3. When considering any new activity, the Clerk/RFO shall prepare a draft risk assessment including risk management proposals for consideration by the council.
- 2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**
- 2.5. **The accounting control systems determined by the RFO must include measures to:**
- **ensure that risk is appropriately managed;**
  - **ensure the prompt, accurate recording of financial transactions;**
  - **prevent and detect inaccuracy or fraud; and**
  - **allow the reconstitution of any lost records;**
  - **identify the duties of officers dealing with transactions and**
  - **ensure division of responsibilities.**

- 2.6. At least once in each quarter, and at each financial year end, a member other than the Chair or a cheque signatory. shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign and date the reconciliations and the original bank statements or similar document as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council.
- 2.7. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

### **3. Accounts and audit**

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonably accuracy at any time. In particular, they must contain:**
  - **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
  - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance and Accountability Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them with any related documents to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 3.7. The internal auditor shall be appointed by [the council] and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
  - is competent and independent of the financial operations of the council;

- reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
- can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the management or control of the council

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

- perform any operational duties for the council;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.

3.11. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

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

#### **4. Budget and precept**

4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**

4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the council at least annually in November for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Council or relevant committee. The RFO will inform committees of any salary implications before they consider their draft their budgets.

4.3. No later than November each year, the CLERK/RFO shall prepare a draft budget with detailed estimates of all receipts and payments/income and expenditure] for the following financial year along with a forecast for the following three financial years, taking account of the lifespan of assets and cost implications of repair or replacement.

- 4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward (by placing them in an earmarked reserve) with the formal approval of the full council.
- 4.5. Each committee shall review its draft budget and submit any proposed amendments to the finance committee no later than the end of October each year.
- 4.6. The draft budget with any committee proposals and three-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the finance committee and a recommendation made to the council.
- 4.7. Having considered the proposed budget and three-year forecast, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the end of January for the ensuing financial year.
- 4.8. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.
- 4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.
- 4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council.

## **5. Procurement**

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.
- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**



- 5.5. Where the estimated value is below the Government threshold £25,000, the council shall (with the exception of items listed in paragraph 6.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed [£60,000] including VAT, the Clerk/RFO shall seek formal tenders from at least three suppliers agreed by the council OR advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.
- 5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation<sup>1</sup> regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**
- 5.8. For contracts greater than £3,000 excluding VAT the Clerk/RFO shall seek at least 3 fixed-price quotes;
- 5.9. where the value is between £500 and £3,000 excluding VAT, the Clerk/RFO shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10. For smaller purchases, the clerk shall seek to achieve value for money.
- 5.11. **Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
- i. specialist services, such as legal professionals acting in disputes;
  - ii. repairs to, or parts for, existing machinery or equipment;
  - iii. works, goods or services that constitute an extension of an existing contract;
  - iv. goods or services that are only available from one supplier or are sold at a fixed price.
- 5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council {or relevant committee}. Avoidance of competition is not a valid reason.
- 5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:
- the Clerk/RFO for any item as agreed in the budget.
- 5.16. No individual member, or informal group of members may issue an official order unless instructed to do so in advance by a resolution of the council or make any contract on behalf of the council.

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<sup>1</sup> The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.

- 5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council {or a duly delegated committee acting within its Terms of Reference except in an emergency.
- 5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £1,500 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.
- 5.19. No expenditure shall be authorised, no contract entered into, or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. An official order or letter shall be issued for all work, goods and services above £250 excluding VAT unless a formal contract is to be prepared, or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

## **6. Banking and payments**

- 6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee. The council has resolved to bank with Unity Trust. The arrangements shall be reviewed [annually] for security and efficiency.
- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.
- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO. Where the certification of invoices is done as a batch, this shall include a statement by the RFO that all invoices listed have been 'examined, verified and certified' by the RFO.
- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.

- 6.5. All payments shall be made by online banking/cheque, in accordance with a resolution of the council {or duly delegated committee} {or a delegated decision by an officer}, unless the council resolves to use a different payment method.
- 6.6. For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council {or a duly delegated committee} may authorise in advance for the year}.
- 6.7. A copy of this schedule of regular payments shall be signed by two members on each and every occasion when payment is made - to reduce the risk of duplicate payments.
- {A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee for information only.
- 6.8. The Clerk/RFO shall have delegated authority to authorise payments only in the following circumstances:
- i. {any payment, within an agreed budget}.
  - ii. payments of up to [£1,500] excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
  - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 {or to comply with contractual terms}, where the due date for payment is before the next scheduled meeting of [the council], where the Clerk/RFO and Finance Officer certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council {or finance committee}.
  - iv. Fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee.
- 6.9. The RFO/Finance Officer shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

## **7. Electronic payments**

- 7.1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify 2 councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval

process. The Clerk/RFO and Finance Officer may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.

- 7.2. All authorised signatories shall have access to view the council's bank accounts online.
- 7.3. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
- 7.4. The Clerk/RFO and Finance Officer shall set up and authorise all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be given to the Clerk/RFO and Finance Officer and in the event of an absence and authorised by the Chair or Vice Chair who shall be an authorised signatory.
- 7.5. In the prolonged absence of the Clerk/RFO or Finance Officer, The Chair or Vice Chair who shall be an authorised signatory, shall set up any payments due before the return of the Service Administrator.
- 7.6. The Clerk/RFO or Finance Officer who are authorised signatory, shall check the payment details against the invoices before approving each payment using the online banking system.
- 7.7. Evidence shall be retained showing which officers/members approved the payment online and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes.
- 7.8. A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.
- 7.9. With the approval of the council in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are [signed/approved online] by [two authorised members]. The approval of the use of each variable direct debit shall be reviewed by [the council] at least every two years.
- 7.10. Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by [two authorised bank signatories, evidence is retained, and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 7.11. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the council at least every two years.
- 7.12. Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk/RFO and the Finance Officer. This is a potential area

for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.

7.13. Members and officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7.14. Remembered password facilities other than secure password stores requiring separate identity verification should not be used on any computer used for council banking.

## **8. Cheque payments**

8.1. Cheques or orders for payment in accordance in accordance with a resolution or delegated decision shall be signed by two members and countersigned by the Clerk.

8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

8.4. Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council or committee meeting. Any signatures obtained away from council meetings shall be reported to the council or Finance Committee at the next convenient meeting.

## **9. Payment cards**

9.1. Any Debit Card issued for use will be specifically restricted to the Clerk/RFO and Finance Officer and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.

9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to [the council and authority for topping-up shall be at the discretion of the council.

9.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk/RFO and Finance Officer and any balance shall be paid in full each month.

9.4. Personal credit or debit cards of members or staff shall not be used under any circumstances.

## **10. Payment of salaries and allowances**

10.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**

10.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

- 10.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council or relevant committee.
- 10.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.
- 10.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.
- 10.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook. Payroll reports will be reviewed by the finance committee to ensure that the correct payments have been made.
- 10.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.
- 10.8. Before employing interim staff, the council must consider a full business case.

## **11. Loans and investments**

- 11.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.
- 11.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.
- 11.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 11.4. All investment of money under the control of the council shall be in the name of the council.
- 11.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 11.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

## **12. Income**

- 12.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 12.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report

of the Clerk/RFO. The Finance Officer shall be responsible for the collection of all amounts due to the council.

- 12.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.
- 12.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.
- 12.5. Personal cheques shall not be cashed out of money held on behalf of the council.
- 12.6. The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted from the software by the due date.
- 12.7. Where significant sums of cash are regularly received by the council, the RFO shall ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.
- 12.8. Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.

### **13. Payments under contracts for building or other construction works**

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

### **14. Stores and equipment**

- 14.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 14.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made. Once checked they can be destroyed.
- 14.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 14.4. The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

### **15. Assets, properties and estates**

- 15.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.
- 15.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.
- 15.3. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.
- 15.4. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).  
No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

## **16. Insurance**

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

## **17. Charities**

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



## **18. Suspension and revision of Financial Regulations**

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

## **Appendix 1 - Tender process**

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



# NORTH WALSHAM TOWN COUNCIL

## Delegation Scheme

### Council delegates to Proper Officer and Committees

Adopted by the Council at its meeting held on 26.11.19

## 1 Introduction

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This Delegation Scheme outlines the authority of the Council and delegated authority given to the Town Clerk, Responsible Finance Officer, Lead Officers and Committees.

Matters are delegated by the Council and Committees to the Proper Officer, for decisions to be made on behalf of the Council. The delegated decision making must be exercised in accordance with the law, the Council's Standing Orders, Financial Regulations and as described in the Committees' Terms of Reference. Where matters are delegated, they are, as is legally permissible, deemed the acts and proceedings of the Council.

The Council may at any time, following a resolution, revoke any delegated authority.

The Council and all Committees are authorised to establish Sub-Committees, Working Groups and Advisory Groups. These groups do not have any delegated authority and will report their recommendations back to the Council or Committee that formed them.

## 2 Council

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### Proper Officer – Clerk to the Council

**The following matters are specifically for decision by the Council, notwithstanding that the appropriate committee may make recommendations for the Council's consideration.**

- Election of Council Chair (Mayor) and Council Vice Chair (Deputy Mayor)
- Set up, amend or disband any Committee, including their Sub Committee/Working/Advisory Groups
- Election of Councillors to Committees.
- Confirm the adoption of the General Power of Competence (every election year)
- Appointment of Council representatives to external organisations
- Adoption of, or amending of, all governance policies including Standing Orders, Financial Regulations
- Set dates of future Council meetings
- Appointment of an Internal Scrutineer
- Appointment of an Internal Auditor
- Approval of regular payments/suppliers
- Approval of Annual Governance Return & Year End Accounts (as recommended by F&G Committee)
- Approval of the Annual Budget and Precept (as recommended by the F&G Committee)
- Co-option appointment should a Councillor vacancy occur
- Appointment/Dismissal of all Council employees (as recommended by Personnel Committee)
- Leases and Contracts

- Borrowing money
- Consider expenditure outside the Councils approved budget
- Make, amend or revoke By Laws
- Any new undertakings and functions of the Council
- Consider statutory demands from electors (surveys)
- In case of long-term absence of the Town Clerk appoint a Responsible Finance Officer

### 3 Proper Officer

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**The Town Clerk is the Proper Officer and Clerk to the Council, they have delegated authority to undertake the following matters on behalf of the Council:**

- Receive declarations of acceptance of office & copy of Register of Interest
- Oversee day to day supervision and management of the Office and all staff employed by the Council
- Issuing and updating employment contracts
- Respond to correspondence requiring a response from the Council
- Act on behalf of the Council in an emergency/urgent situation.
- Approve emergency expenditure in the case of Health & Safety
- Agenda and minutes' format and content
- Final decision on Agenda items for all Committees
- Authorise routine expenditure within the agreed budget
- Authorise Staff Training within agreed budget
- Authorise Annual Subscriptions
- Management of all IT requirements including replacing equipment, purchasing software or facilities
- Authorised controller of CCTV
- Oversees all Committees and appointed Lead Officers where necessary
- Appraisals, in consultation with the Personnel Committee
- Delegated Powers during the annual August recess
- Any other matters delegated by the Council

### 4 Responsible Finance Officer (RFO)

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**The Responsible Finance Officer, is responsible for the Council's accounting procedures, in accordance with the Accounts & Audit regulations in force at any given time:**

- Administer the Councils bank balances
- Pay salaries of Council employees
- Ensure monthly returns are made to HMRC and Norfolk Pension Fund
- Complete Quarterly VAT returns
- Overall responsibility of the Petty Cash
- Acquire adequate insurance for assets and activities (for recommendation to Finance & Grants)
- Manage budgetary control
- Provide quarterly comparisons to the Council
- Manage fixed Assets

- Prepare the annual budget and precept (for recommendation to Finance & Grants Committee)
- Complete the Annual Government Return (for recommendation to Finance & Grants Committee)

## 5 Office of the Town Council

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**The Council authorise the Office to:**

- Make day to day decisions necessary for the smooth running of the Office
- Deal with matters resolved by the Council and Committees
- Prepare and publish Council and Committee Minutes and Agendas
- Notify the Returning Officer of any Councillor vacancies
- Respond to all forms of correspondence
- Deal with general/informal complaints
- Reply to Freedom of Information requests within 20 working days (Data Protection Officer)
- Place Freedom of Information Disclosure Logs on the website
- Maintain Town Council's website and facebook page
- Maintain Town Council equipment
- Update of Policies and Procedures
- Adverts for staff vacancies and co-options
- Hold the Council's seal and apply it to approved documentation
- Recommend capital works and resource their implementation

## 6 Lead Officer

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**Appointed by the Proper Officer, the Lead Officer is authorised by law to:**

- Agree Agenda's for publication, in consultation with the Chair of the Council or relevant Committee
- Sign the summons for Councillors to attend meetings of the Council or relevant Committee
- Receive and record notices disclosing personal and pecuniary interests
- Receive plans and documents
- Compile minutes, being a concise, true and accurate account of decision at the meeting
- Sign notices and other documentation on behalf of the Council or relevant Committee
- Call an extraordinary meeting in consultation with the relevant Chair (summons signed by chair)
- Deal with matters resolved by the relevant Committee

## 7 Personnel Committee ToR's

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- Staff – Employ temporary staff for a period not to exceed either 3 months or 30 hours per week
- Contracts – Review, power to change by up to 5hrs per week in any one year
- Salaries – Pay rises between 1 and 4 scale points (recommend to Full Council)
- Appraisals – Staff appraisals for review
- Complaints – Deal with official complaints and recommend to Full council if required
- Grievance & Disciplinary matters – deal with complaints and recommend a course of action to full Council if required
- Interviews – Select members of the Personnel Committee to form a panel
- Personnel ToR's/Policies – Review employee policies (recommend to Full Council)
- Any other matters as delegated by the Full Council

## 8 Finance & Grants Committee ToR's

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- Grants – to make a decision on the awarding of grants
- Fees – to review annual increases to Allotments, Markets, Burials and Rents
- Asset Register – to review annually (recommend to Full Council)
- Insurance – to make sure the Council is fully insured (recommend to Full Council)
- Review bank ac's – interest, changing accounts, charges, signatories
- Opening and consideration of tenders (recommend to Full Council)
- Consider following years budgets and extra items for the precept (recommend to Full Council)
- Approve year end accounts & Annual Governance Return (recommend to Full Council)
- Finance ToR's/Policies – (recommend to Council)
- Any other matters as delegated by the Full Council

## 9 Markets Committee ToR's

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- Market rent – collecting and allowing bad weather credits (Rent amount set by Finance)
- Market Entertainment
- New stalls
- Road Closure dates
- Car Boot Sales
- Street Food Markets
- Council provided pop up stalls
- Any other matters as delegated by the Full Council

## 10 Development & Amenities Committee ToR's

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- Cemeteries – upkeep, rules and regulations, forms
- Parks – maintenance, play equipment upkeep and replacement
- Amenities – grass verge maintenance, decisions, and maintenance
- Allotments – decisions and maintenance
- Events – Management of expenditure
- Approve Event Management Plans – after application form has been agreed by Council
- CCTV – management of, new equipment (recommend to Full Council)
- Street Furniture – grit, litter & dog bins, benches, notice boards, bus shelters
- Banners/Advertisements – approve display of
- Lighting – maintenance of, new equipment (recommend to Full Council)
- Trees – surveys and maintenance
- D&A ToR's/Policies (recommend to Full Council)
- Any other matters as delegated by the Full Council

## 11 Media & Information Committee ToR's

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- Tourism, including contents of Information Office
- Town Promotion
- Advertising
- Website & Social media
- Town Guide – design, printing and distribution
- Newsletter – design, printing and distribution
- Press – liaising, ensuring comments are not slanderous or libellous

- Notice boards/signs – contents of and keeping contents updated
- Carrying out surveys as requested by Council
- M&I ToR's/Policies (approve at Full Council)
- Any other matters as delegated by the Full Council



# NORTH WALSHAM TOWN COUNCIL

## Structure (who has delegated responsibility)

\*recommend to Full Council



**MARKETS COMMITTEE** also have delegated powers for Markets, Car boots and Events for the Town





# NORTH WALSHAM TOWN COUNCIL

## Code of Conduct adopted from LGA model 2020

**Adopted by the Council at its meeting held on 29.3.22**

### Joint Statement

The role of Councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as Councillors we can be held accountable, and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual Councillor affects the reputation of all Councillors. We want the role of Councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become Councillors.

As Councillors, we represent local residents, and work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a Councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public. The Council has also signed up to the Civility and Respect Pledge.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

### Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for Councils to adopt in whole and/or with local amendments.

All Councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to Councils and Councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local Councils can offer advice and support to Town and Parish Councils.

### Definitions

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority; and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes County Councils, District Councils, London Borough Councils, Parish Councils, Town Councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

## **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

## **General principles of Councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and Parish Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standard of Councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

## **General Conduct**

### **1 Respect**

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**As a Councillor:**

**1.1 I treat other Councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behavior, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider, or the police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Councillor-officer protocol.

### **2 Bullying, harassment and discrimination**

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**As a Councillor:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### 3 Impartiality of Officers of the Council

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**As a Councillor:**

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### 4 Confidentiality and access to information

---

**As a Councillor:**

- 4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

- 4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family member, my employer or my business interests.**

- 4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be

times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## 5 Disrepute

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**As a Councillor:**

### **5.1 I do not bring my role or local authority into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct.

## 6 Use of position

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**As a Councillor:**

### **6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## 7 Use of local authority resources and facilities

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**As a Councillor:**

### **7.1 I do not misuse Council resources.**

### **7.2 I will, when using the resources of the local authority or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## 8 Complying with the Code of Conduct

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As a Councillor:

- 8.1 I undertake Code of Conduct training provided by my local authority.**
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.**
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a Councillor to demonstrate high standards, for you have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

## Protecting your reputation and the reputation of the local Authority

## 9 Interests

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As a Councillor:

- 9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## 10 Gifts and hospitality

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As a Councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in

accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## Appendices

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

### **Appendix B Registering interests**

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**“Disclosable Pecuniary Interest”** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in **Table 1** below.

**“Partner”** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the Councillor, or a person

connected with the Councillor, being subject to violence or intimidation.

3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.



## Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

## Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or wellbeing of a body included under Other Registrable Interests asset out in **Table 2**you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

## Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the Council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses.  This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council —  (a) under which goods or services are to be provided or works are to be executed; and  (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the Council.  'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the Councillor's knowledge)—the landlord is the Council; and  (a) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body where—that body (to the Councillor's knowledge) has a place of business or land in the area of the Council; and either—  (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or  (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**Table 2: Other Registrable Interests**

You must register as an Other Registrable Interest :

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
  - (i) exercising functions of a public nature
  - (ii) directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

## **Appendix C – the Committee on Standards in Public Life**

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring Councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by Councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both Councillors and the public, in a prominent position on a Council's website and available in Council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the Code of Conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a Parish Councillor towards a Clerk should be made by the chair or by the Parish Council, rather than the Clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to Parish Councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or groupwhips to discuss standards issues.

***The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.***



# **NORTH WALSHAM TOWN COUNCIL**

## **Co-option Procedure**

### **General**

- 1.1 This document sets out the procedures regarding the co-option of Councillors to fill vacancies on the Council. The aim of the policy is to show that the Council endeavours to treat all applicants fairly and alike, and to ensure that the process is fair, open, and transparent.
- 1.2 The council does not have to consider claims of candidates who were unsuccessful at previous elections.

### **1. Introduction**

- 1.1 The normal process for filling a casual vacancy is election by the local electorate at a by-election. Co-option is the process by which the Town Council selects a new Councillor, rather than a by-election taking place.
- 1.2 There are two circumstances under which the Town Council may proceed to fill a casual vacancy by co-option:
  - When a seat has been left vacant because no eligible candidate stood for election at the ordinary elections for a new council (currently every four years).
  - When a seat falls vacant but the required 10 electors of the relevant ward have not called for a poll (by-election) within the legally specified period following publication of the notice of vacancy (see section 2 below).
- 1.3 If the period of vacancy has six or more months to run until the next ordinary election, the Town Council must use the co-option process, as

soon as practicably possible. If the next ordinary election is within six months, the Town Council may choose if it wishes to co-opt.

- 1.4 The Town Council is not obliged to select anyone from the candidates who apply in the co-option process; if the process is unsuccessful (whether through lack of or no suitable candidates which achieve a majority vote) then the Town Council will rerun the co-option process, subject to the timescales at 1.3 above.
- 1.5 The Town Council would manage the process of co-option itself, with this policy outlining the procedure to be followed by the Town Council when co-option is considered, to ensure a fair and transparent process is undertaken.

## **2. Timeline of a Casual Vacancy Occurring**

- 2.1 Upon learning of a casual vacancy from a seat falling vacant (through the disqualification, resignation or death of a councillor, for example), the Town Clerk will have notified North Norfolk District Council's Returning Officer of the vacancy arising. North Norfolk District Council being the local electoral authority, legally responsible for delivering electoral services.
- 2.2 The District Council will advertise the vacancy and require the Town Council to make sure the notice of a casual vacancy is shared in conspicuous places. The Town Council meets this requirement by displaying the notice on its noticeboards, website, social media pages and by email to all councillors, staff, and public mailing list subscribers or other available means. An advert should also be placed in community 'hotspots' such as the library (in accordance with s232 of the 1972 Local Government Act).
- 2.3 A legal timeframe of 14 days is assigned, from the date of the notice, for 10 or more electors in the relevant town ward with the vacancy to contact the District's Council's Returning Officer requesting that a poll

(by-election) be held. If this occurs, the District Council will issue a notice of poll and manage the by-election process accordingly.

- 2.4 If the requirements at 2.3 are not met and a poll is not requested by 10 or more electors, the District Council will notify the Town Council that the casual vacancy may be filled by co-option.
- 2.5 As alluded to at 1.2 and 2.1, the other way in which a casual vacancy can occur (rather than by a seat falling vacant), is from the lack of eligible candidates at ordinary elections. In this case, the District Council's Returning Officer would notify the Town Council immediately after the results of the ordinary elections are known that co-option can take place.
- 2.6 As per 1.3 above, where there is six months or more until the next ordinary election, the Town Council will follow the process set out within this policy document upon notification that co-option can take place.
- 2.7 If there is less than six months until the next ordinary election, a report will be presented to Full Council as soon as practicably possible to enable Full Council to decide whether it wishes to co-opt to fill the vacancy.
- 2.8 If co-option is not used to fill a vacancy due to there being less than six months to the ordinary election, that seat will be filled as usual in the ordinary election process.

### **3. Advertisement Process**

- 3.1 Local councils can only be as connected and helpful as the people elected to run them, so they require councillors capable, enthusiastic, and engaged to reflect their communities. As such, making co-options is an opportunity for a local council to address shortfalls and imbalances in their membership.
- 3.2 Although seeking 'expressions of interest' is not a legal requirement, the National Association of Local Councils (NALC) recommends that councils always give public notice of vacancies because this makes the

process of co-option open and transparent and should attract more potential candidates.

- 3.3 On receipt of written notice from North Norfolk District Council (the local electoral authority) that a casual vacancy may be filled by means of co-option (see section 2 above):
- The Town Clerk will share the advertisement of the vacancy to be filled by co-option with all Councillors, before ensuring this is advertised within 21 days of receipt of the written notification.
  - The co-option advertisement will include the closing date for requests for consideration (between 14 and 30 days after the date of the advertisement) and the number of vacancies, and will be shared on the Town Council's website, social media platforms, noticeboards, and other relevant communication methods, such as sharing with local partners and community groups.
- 3.4 A co-option provides an opportunity for the Town Council to assess any skills gaps from within its members and advertise for applicants with the desirable skills to apply. Not holding the identified skills should not however be reason alone for not considering an applicant and the Town Council will need to be mindful of this throughout the process.
- 3.5 Councillors may point out the vacancies and the process to any qualifying candidate(s). Candidates found to be offering inducements of any kind will be excluded from the process.

#### **4. Application Process**

- 4.1 The Town Council will make available on its website (or in hard copy to those that request it) information about the role of a Town Councillor, an overview of the Town Council and other relevant guidance which will support potential candidates in deciding if they may wish to apply.
- 4.2 Applicants for a vacancy will be asked to:



- Submit information about themselves by completing a Councillor Co-option form, which should include a C.V, description of their interest in becoming a councillor and any other relevant information.
- Confirm their eligibility for the position of councillor within the statutory rules and that they are not disqualified from standing. A copy of the criteria is set out within the Co-option form. (s79 and s80 of the Local Government Act)

## **5. Decision-Making Process**

- 5.1 All applications to be circulated by the Town Clerk to the Personnel Committee. All personally identifiable data to be redacted before circulation. This blind process will allow for all applications to be considered in a fair manner. Feedback to the be provided confidentially to the chair and deputy chair of personnel.
- 5.2 Personnel committee to meet and discuss applications and arrange interviews to be held before the next full council meeting (if possible).
- 5.3 Interviews to be conducted by a panel consisting of the chair and deputy chair of Personnel and two members from the Personnel committee in conjunction with the mayor or Deputy mayor.
- 5.4 Chair of Personnel/deputy chair of Personnel to give a report on the applications and interviews along with recommendations to the next full council meeting held after the interviews.
- 5.5 Full council will decide on status of applications and vote on the applications received. The Council is not obliged to fill all or any vacancies. In the event of no successful application's co-options are to be readvertised within 2 months. (s12 para.39 of Local Government Act 1972)
- 5.6 The initial vote will be to decide whether to proceed with co-option – this vote will be taken by show of hands.
- 5.7 Should Full Council resolve that there are suitable candidates and to proceed, Councillors will vote for individual candidates by show of

hands, alphabetically by surname. Councillors will have one vote per vacancy to be filled.

- 5.8 In the event of there being only one candidate, a vote will still need to be taken.
- 5.9 Councillors are still bound to declare a prejudicial interest if they or a member of their family or close associate are related to or have a close relationship to an individual candidate and would need to request a dispensation to speak or vote. If a Councillor is uncertain of whether an interest is declarable, they can seek the advice of the Town Clerk ahead of the meeting. If a dispensation is requested and not granted, the Councillor will have to withdraw from the meeting for the co-option item of the agenda.
- 5.10 A candidate can only be elected by co-option following a majority vote of Full Council. A majority vote is a majority of the total number of Councillors present at the meeting e.g., if there are 20 councillors voting, the majority would be 11 votes for.
- 5.11 If there are more than two candidates for one vacancy and not one of them at the first count receives a majority over the total votes given to the rest, the Chair will strike off the candidate with the least number of votes and the remainder must then be put to the vote again until an absolute majority is achieved.
- 5.12 In accordance with Standing Orders, the Chair may exercise their right to use a casting vote in the case of a tied vote.
- 5.13 If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled by a single composite resolution, but if the number of candidates exceeds the number of vacancies each vacancy must be filled by a separate vote or series of votes.

## **6. Successfully Co-option – Next Steps**

- 6.1 If an applicant(s) should be successful, a letter will be sent to the applicant informing them of the outcome of their application.
- 6.2 The co-opted members will be asked to sign a Declaration of Acceptance of Office before or at the first meeting of the Town Council after their election and to agree to be bound by the Town Council's adopted Code of Conduct. They may then take their seat at the Town Council and will have the ability to be appointed to committees and/or become a representative to local organisations.
- 6.3 The Register of Members Interests form must be completed on line within 28 days of election. The form can be found on North Norfolk District Council website.
- 6.4 Any newly co-opted members will be provided with a welcome pack and invited to attend an induction and training session with the Town Clerk and/or other officers. This should take place, where possible, before the next Full Council meeting.



# **NORTH WALSHAM TOWN COUNCIL**

## **Communication Protocol**

**Adopted by the Council at its meetings held on 28.7.15 part II**

### **1 Introduction**

- 1.1 This document covers communications relating to Members of the Town Council, Council staff, members of the public, other bodies, and the press.

### **2 Correspondence and information sent to the Council**

- 2.1 The official point of contact for the Council is the Town Clerk. All correspondence to the Council should be addressed to the Town Clerk.
- 2.2 The Town Clerk should deal with all correspondence following a meeting of the Council.
- 2.3 No individual Councillor should be the sole custodian of any correspondence or information that relates to the Council as a whole, it must go to the relevant Chair, elected representative, Town Clerk or direct to Full Council. The council is unable to act on issues that have been declared as confidential to any one individual unless consent is given to share the information with the relevant Committee Chair etc.
- 2.4 Items of correspondence which require a council response, decision or action should be officially received at Council for a decision unless of an urgent Health and Safety concern.

### **3 Agenda items of Council, Committees, Sub-Committees and Working Groups**

- 3.1 Agenda items should be clear and concise. They should contain sufficient information for members to make an informed decision. Items for information should be kept to a minimum on Council agendas. Where Councillors wish colleagues to receive matters "for information only", this information should be circulated via the Town Clerk.

### **4 Communications with the Press and Public**

- 4.1 Press reports and correspondence from the Council, Committees, Sub-Committees and Working Groups are deemed to be authorised by the Proper Officer.
- 4.2 If Councillors are asked for a comment by the press or members of the public, unless it is absolutely clear that they are reporting the official view of the Council, it should be stated clearly that such comments or views are the personal views of the Member.
- 4.3 When posting information on behalf of the Council via any form of Social media, it must be done under a Group heading such as North Walsham Town Council and remain under the control or delegation of the Proper Officer.
- 4.4 Social Media administrative rights will be operated by the Town Clerk, any posting will adhere to the following guidelines:-
  - No business advertisements permitted
  - No insults, bullying/threatening behaviour or foul language
  - Political neutrality
  - Commenting turned off

- 4.5 When commenting on any social media platform, Councillors must make it absolutely clear from the outset that any comments they are making are that Member's personal views. Councillors must not allow themselves to be drawn into lengthy discussion or argument about matters over which the Town Council has no control.
- 4.6 If Councillors wish to make a complaint or receive a complaint from a member of the public, this should be passed in writing to the Town Clerk so that it can be dealt with under the Council's complaints procedure or by a Council agenda item. The name and address of the complainant should be on record.

## 5 Correspondence between Councillors and other bodies

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- 5.1 All personal correspondence as a Councillor to other agencies should make clear that the views expressed are those of the individual and not necessarily those of the Council.
- 5.2 A copy of all outgoing correspondence relating to the Council or the Councillors role within it should be sent to the Town Clerk, and the correspondence should make clear to the addressee that this is the case.

## 6 Communications with Town Council staff

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- 6.1 Council staff are answerable to the Council as a whole, through the Town Clerk, and not to individual Councillors. Councillors **must not** give instructions to any member of staff unless specifically authorized to do so by the Council or the urgency of the request justifies direct contact (for example health and safety matters on Council-owned property). In any event, the Town Clerk **must** be notified of any instructions given to staff. If the Town Clerk states that work cannot be undertaken by a member of staff that decision is final, and the decision cannot be raised with another Councillor.
- 6.2 Telephone calls should be kept to a minimum and relate to the Council.
- 6.3 Emails should be kept to a minimum to the Town Clerk or staff. Instant replies from the Town Clerk or other staff should not be expected and will only be dealt with instantly if considered urgent. Matters for information should be directed to other Councillors via the Town Clerk.
- 6.4 If an acknowledgement is requested in an email from the Town Clerk, Councillors should provide this.
- 6.5 If Councillors wish to meet with the Town Clerk to discuss matters of Council business, an appointment should be made. When requesting an appointment, the matters for discussion should be made clear.
- 6.6 All visitors including Councillors when visiting the Council Offices must sign in and out. This does not include official Council meetings when attendance is recorded in the minutes.
- 6.7 Councillors should treat all staff with respect. Any Councillor wishing to question a member of staff's decision or action, should do so via the Clerk. If after answering the question, a repeated request for the same question is received, supporting evidence must be provided or this question will not be answered. (added by Council minutes 26.11.19, 7.6.1)



# NORTH WALSHAM TOWN COUNCIL

## Complaints – Code of Practice

**Adopted by the Council at its meeting held on 26.11.19**

This Policy sets out procedures for dealing with any complaints that anyone may have about North Walsham Town Council's administration or procedures. Complaints cannot be made confidentially and apply to the Town Council's employees only.

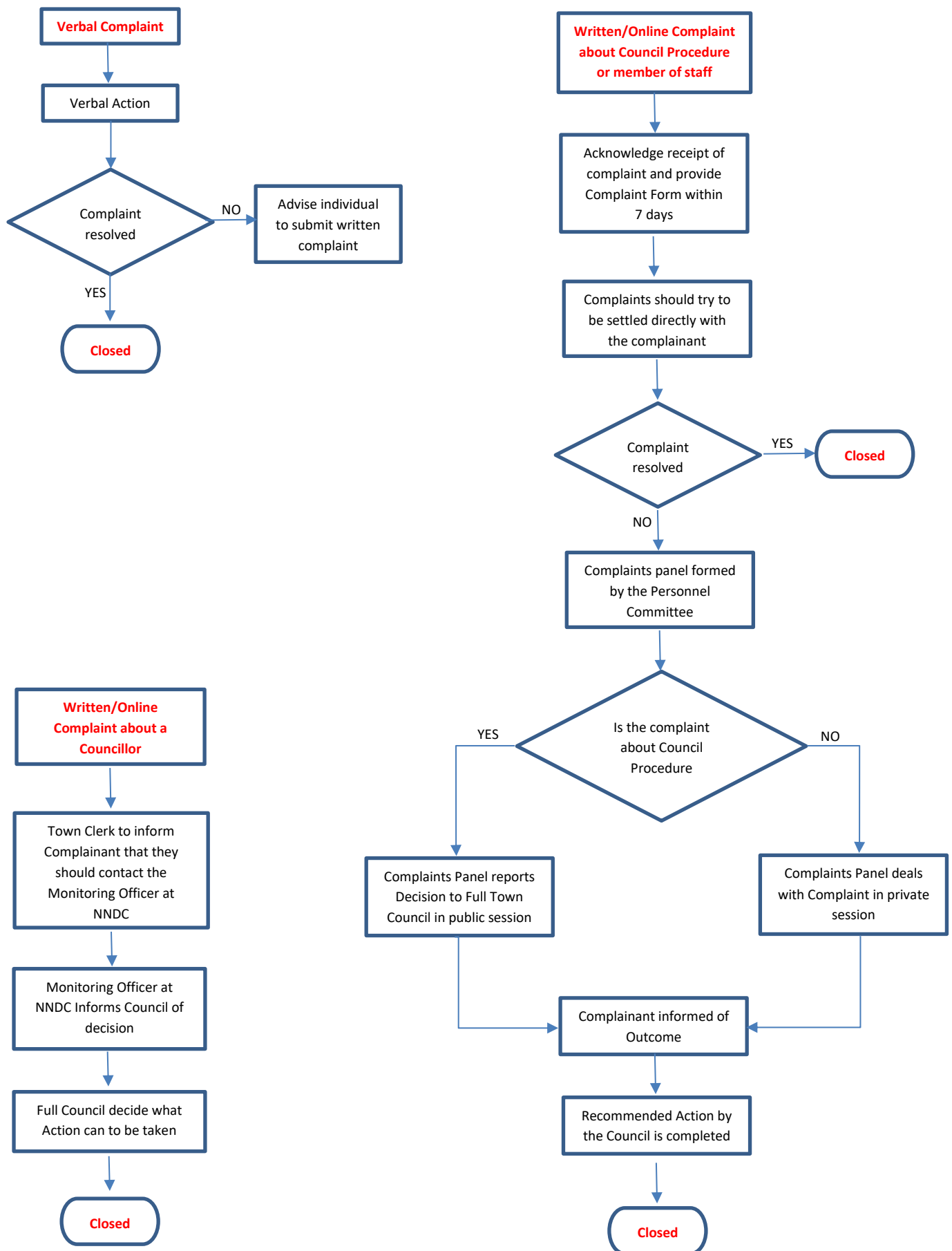
Complaints against Councillors need to be made to the Monitoring Officer at NNDC.

Complaints from employees about the Council as an employer need to be dealt with by the Council's Grievance procedure.

Complaints against procedure decisions made by the Council shall be referred back to Council.

1. If a complaint is received verbally to a Councillor or the Clerk, they should seek to satisfy the complaint fully. If the complaint is about the Clerk, it should be made directly to the Chair of the Council.
2. If the complaint is not resolved, the complainant should be asked to submit a written complaint to the Clerk or the Chair to the Council. Receipt should be provided along with the Complaint Form within 7 days.
3. On receipt of a written complaint the Chair of the Council or the Clerk, should try to settle the complaint directly. If the complaint is about the Clerk, it should be made directly to the Chair of the Council.
4. No complaint shall be settled without first notifying the person being complained against and giving them an opportunity to comment.
5. The Clerk or Chair of the Council shall bring any written complaint that has not been resolved to the Chair or Vice Chair of Personnel Committee. A Panel will be formed by the Personnel Committee to consider the Complaint.
6. The Personnel Panel shall consider if the circumstances surrounding the complaint warrant the matter being discussed in the absence of the press and public or in public session.
7. When the final decision has been made it will be reported to Full Council in public session.
8. As soon as possible after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.
9. The decision is final, and no appeals will be considered.

# Sequence of Events





# NORTH WALSHAM TOWN COUNCIL

## Complaints Form

Name.....

Address.....

.....

.....

Post Code.....

Details of Complaint.....

.....

.....

.....

.....

.....

How you would like to be contacted      Email      Letter      Phone

Contact details.....

Have you spoken to anyone at the Council? YES/NO

If YES please give their name.....

What outcome are you looking for.....

.....

.....

.....

.....

Please return this form to :- Town Clerk, North Walsham Town Council, Office 4, The Cedars, 2 New Road, North Walsham, NR28 9DE

Our **General Privacy Statement** explains how we use your personal data, keep it stored securely and how you can exercise your rights. All data will be destroyed securely in line with our **Retention & Disposal Policy**





# NORTH WALSHAM TOWN COUNCIL

## Publication Scheme - adopted from ICO 2020

**This Scheme was adopted by the Council at its meeting held on 30 March 2021**

### Freedom of Information

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This model publication scheme has been prepared and approved by the information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below
- To specify the information which is held by the authority and falls within the classifications below
- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
- To review and update on a regular basis the information the authority make available under this scheme.
- To produce a schedule of any fees charged for access to information which is made proactively available.
- To make this publication scheme available to the public
- To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act. The term 'relevant copyright work' is defined in section 19(8) of that Act.
- We seek to satisfy all FOI requests promptly within the limit of 20 working days (subject to exemptions), and continue to protect the personal data entrusted to us by disclosing only in accordance with the General Data Protection Regulations and Data Protection Act 2018
- FOI requests cannot be confidential and will be recorded on our website through the disclosure log, along with our responses. Please check below first to see if the information you require is available on our website. Fee Requests will be charged in line with the FOI Fees Regulations and must be paid before the request is processed. If the fee is not paid within 3 months the request will be considered lapsed.
- All requests for information will be treated as an FOI request, and can be made through our website [www.nwtc.org.uk](http://www.nwtc.org.uk), or FoI email: [Foi@nwtc.org.uk](mailto:Foi@nwtc.org.uk) (Council minutes 26.11.19, 7.6.2)

## Class 1 - Who we are and what we do

### Organisational information, structures, locations and contacts.

*This will be current information only*

[Click link below to access information](#)

Who's who on the Council and its Committees	<a href="#">Councillors</a> <a href="#">Committees</a>	Free on website
Contact details for Town Clerk and Council members	<a href="#">The Team</a> <a href="#">Councillors</a>	Free on website
Location of main Council Office and accessibility details	<a href="#">We are here</a>	Free on website
Staffing Structure	<a href="#">The Team</a>	Free on website

## Class 2 - What we spend and how we spend it

### Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit

*Current and previous financial year as a minimum*

[Click link below to access information](#)

Annual return form and report by Auditor	<a href="#">Annual Return</a> <a href="#">Auditor Report</a>	Free on website
Finalised budget	<a href="#">Precept/Budget &amp; 3 year forecast</a>	Free on website
Precept	<a href="#">Precept/Budget &amp; 3 year forecast</a>	Free on website
Borrowing Approval letter	N/A	
Financial Regulations and Standing Orders	<a href="#">Financial Regulations</a> <a href="#">Standing Orders</a>	Free on website
Grants given and received	<a href="#">Grants Awarded</a>	Free on website
List of current contracts awarded	<a href="#">Council minutes</a>	Free on website
Members allowances and expenses	<a href="#">Expenditure</a>	Free on website

## Class 3 - What our priorities are and how we are doing

### Strategies and plans, performance indicators, audits, inspections and review.

*Current and previous year as a minimum*

[Click link below to access information](#)

Town Plan	<a href="#">Business Plan</a>	Free on website
Annual Report to Town Meeting	<a href="#">Annual Report</a>	Free on website
Quality Status	Quality Gold Level Local Council Awards	
Local Charters drawn up in accordance with DCLG guidelines	N/A	

## Class 4 – How we make decisions

### Decision making processes and records of decisions

Current and previous Council year as a minimum

[Click link below to access information](#)

Timetable of meetings ( <i>Council, Committees/Sub-committees and Town meetings</i> )	<a href="#">Meeting dates</a>	Free on website
Agendas of meetings ( <i>Council, Committees/Sub-committees and Town meetings</i> )	<a href="#">Council Agendas</a> <a href="#">D&amp;A Agendas</a> <a href="#">Finance Agendas</a> <a href="#">M&amp;I Agendas</a> <a href="#">Personnel Agendas</a> <a href="#">Annual Town Agendas</a>	Free on website
Minutes of meetings ( <i>Council, Committees/Sub-committees and Town meetings</i> ) ( <i>this excludes information that is properly regarded as private to the meeting</i> )	<a href="#">Council Minutes</a> <a href="#">D&amp;A Minutes</a> <a href="#">Finance Minutes</a> <a href="#">M&amp;I Minutes</a> <a href="#">Personnel Minutes</a> <a href="#">Annual Town Minutes</a>	Free on website
Reports presented to Council meetings ( <i>this excludes information that is properly regarded as private to the meeting</i> )	<a href="#">Annual Meeting Reports</a> <a href="#">Council Meeting Reports</a>	Free on website
Response to consultation papers	<a href="#">Council Minutes</a>	Free on website
Responses to Planning applications	<a href="#">Planning Summary</a>	Free on website
Bye-laws	<a href="#">Memorial Park 1949</a> <a href="#">Tents/vans/sheds 1936</a> <a href="#">New Buildings 1938</a>	Free on website

## Class 5 – Our policies and procedures

### Current written protocols, policies and procedure for delivering our services and responsibilities

Current information only

[Click link below to access information](#)

<b>Policies and procedures for the conduct of Council business</b> Procedural Standing Orders Committees & sub-committees Terms of Reference Delegated authority in the respect of Officers Code of Conduct Policy Statements	<a href="#">Standing Orders</a> <a href="#">Terms of Reference</a> <a href="#">Delegation Scheme</a> <a href="#">Code of Conduct</a> <a href="#">Policies &amp; Procedures</a>	Free on website
<b>Policies and procedures for the provision of services and about the employment of staff</b> Equality & Diversity Policy Health & Safety Policy Recruitment Policies Disciplinary & Grievance procedure	<a href="#">Pension Policy</a> <a href="#">Equal Opportunities</a> <a href="#">Health &amp; Safety Policy</a> <a href="#">Training/Development</a> <a href="#">Disciplinary &amp; Grievance</a>	Free on website
<b>Policies and procedures for handling requests for information</b> Complaints Procedure ( <i>including those covering requests for information and operating the publication scheme</i> ) Information Security Policy Records management policies ( <i>records, retention, destruction and archive</i> ) Data Protection Policies Schedule of Charges ( <i>for the publication of information</i> )	<a href="#">Complaints Procedure</a> <a href="#">Foi Publication</a> <a href="#">Information Security</a> <a href="#">Retention &amp; disposal</a> <a href="#">Information Audit</a> <a href="#">GDPR</a> 10p b&w, 45p colour	Website free     per pg

## Class 6 – Lists and Registers

### Currently maintained lists and registers only

Information held in registers required by law another lists and registers relating to the functions of the authority

[Click link below to access information](#)

Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)	<a href="#">Burial Register/ Contact Clerk</a> <a href="#">Attendance Register</a>	10p per page
Assets Register	<a href="#">Asset Register</a>	Free on website
Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)	<a href="#">Disclosures Logs</a>	Free on website
Register of Members' interests	<a href="#">Members Interests held by NNDC</a>	Free on website
Register of Gifts and Hospitality	over £25 only/ Reported to NNDC	10p per page

## Class 7 – The services we offer

### Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses

Current information only

[Click link below to access information](#)

Allotments	<a href="#">Allotments</a>	Free on website
Burial Grounds and Closed Churchyards	<a href="#">Cemeteries</a>	Free on website
Community Centre & Village Hall	N/A	
Parks Playing Fields & Recreation facilities	<a href="#">Parks &amp; open spaces</a>	Free on website
Seating, litter bins, Clocks, memorials & lighting	<a href="#">Seats/Bins,</a> <a href="#">Market Clock</a> <a href="#">Streetlights</a>	Free on website
Bus Shelters	<a href="#">Bus Shelters</a>	Free on website
Markets	<a href="#">Markets</a>	Free on website
Public Conveniences	N/A	
Agency Agreements	N/A	
A summary of services for which the Council is entitled to recover a fee, together with those fees (e.g. burial fees)	<a href="#">NWTC Fees</a>	Free on website

## Schedule of Charges

Photocopying	Black & white - 10p per sheet	Colour - 45p per sheet
Postage	Standard - 2 <sup>nd</sup> class mail, actual cost	If requested - 1 <sup>st</sup> class mail, actual cost

## **Classes of information will not generally include**

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

## **The method by which information published under this scheme will be made available**

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Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

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

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

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

## **Charges may be made for information published under this scheme**

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

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

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

Charges may also be made for making dataset (or parts of datasets) that are relevant copyright works available for re0use. These charges will be in accordance with the terms of the Re-use if Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment will be requested prior to provision of the information (Council minutes 23.9.19, 6c,ii)



# NORTH WALSHAM TOWN COUNCIL

## Planning Procedure

Adopted by the Council at its meeting held on 23.9.19

## 1 Procedure for Planning Applications

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### Introduction :

North Walsham Town Council is expected to give responses to planning applications, consultations and appeals occurring in the wards of North Walsham in its role as a consultee. The Planning Committee will give the responses on behalf of the Town Council. Such responses to be made within 21 days being the consultation period.

The Planning Agenda for all Planning Meetings will be placed on the Town Council's website and on Notice Boards if members of the public wish to attend.

The responses to planning applications will be sent to North Norfolk District Council, Norfolk County Council or the Planning Inspectorate as appropriate.

Planning applications are considered at Planning Meetings by the Planning Committee, other members of the Council can also attend if they wish and make comments.

## 2 Standard Planning Procedure

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The following procedure will be follows :

- On receipt of a planning application it will be emailed through to members by the Proper Officer
- If an extension of time is needed for the response this will be applied for by the Proper Officer to the Planning Officer
- After a decision is made this will be loaded on to the NNDC website or emailed to NCC or the Planning Inspectorate by the Proper Officer

NNDC would like the following responses to be considered:

- supports the application or
- has no objection or comment or
- objects to the application

Any additional comments can also be made with the response if necessary.

### **3 Non Standard Planning Procedure (during recess and except where there is a maximum of three minor planning applications)**

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#### **Delegated Powers are set out in Condition 27a. for Planning Applications**

During the August recess or on receipt of three minor planning applications, the following process is followed under delegated powers given to the Mayor, Deputy Mayor, Chair and Vice Chair of Planning and the Proper Officer :

- the planning application will be emailed to all members asking for any comments giving a deadline date for submission to the Proper Officer
- all comments will be passed to the delegates for consideration
- once a decision is reached the Proper Officer will load this on to the NNDC website alternatively email NCC or the Planning Inspectorate.

If a major planning application is received during recess, then a Special Meeting of the Planning Committee will be arranged.

**Note: When considering a planning application only certain issues are taken into account which are known as material planning considerations, therefore, each planning application will be considered fully taking into account:**

- **material planning considerations such as highways, trees, layout and density etc**
- **non material planning considerations such as loss of view, previous objections etc.**



# NORTH WALSHAM TOWN COUNCIL

## CCTV Policy

**Adopted by the Council at its meetings held on 15.12.20**

Council Name: North Walsham Town Council  
Council Address: Cedar House, Office 4, New Road, North Walsham NR28 9DE  
Email Address: townclerk@nwtc.org.uk  
Telephone numbers: 01692 404114

North Walsham Town Council uses an unmonitored CCTV system for the reduction, investigation and detection of crime, to provide public safety, a safe and secure environment and to prevent the loss or damage to property.

CCTV cameras are installed at

- Market Street
- Church Street
- Market Street/Cromer and Aylsham Roads
- King's Arms Street x 2
- Market Place
- Vicarage Street
- Precinct – St Nicholas Court/Churchyard
- Memorial Park x 2
- Skate Park, Trackside
- Council Offices, Internal Corridor
- Council Offices, External camera – front of building
- Council Offices, External camera – rear of building
- Bank Loke
- Cedar House

The system is owned and operated by the Town Council. The system is used by the Police, Town Clerk, DPO and Anglia Technology. Access to the CCTV system is requested via the Town Clerk.

The CCTV scheme is registered with the Information Commissioner under the terms of the Data Protection Act 2018. The Town Council complies with the Information Commissioner's CCTV Code of Practice to ensure it is used responsibly and safeguards both trust and confidence. The Code of Practice is on the Information Commissioner's Office website.

The GDPR of Anglia Technology has a standard Privacy Policy, and is the Policy referred to by North Walsham Town Council. Anglia Technology is the maintenance and service provider.

North Walsham Town Council is the Data Controller under the CCTV Policy for North Walsham Town Council – Members and Staff. Under the GDPR Anglia Technology is the processor.



The Town Clerk is the Data Protection Officer and is responsible for the Council's Data Protection procedure. Public interest in the operation of CCTV will be recognised by ensuring the security and integrity of operational procedures, this balances the objectives of CCTV usage with the need to safeguard the individual's rights.

## **Covert Monitoring**

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In exceptional circumstances North Walsham Town Council may allow covert monitoring regarding illegal activities in the Town and at which time advice and guidance will be taken from the Police or Home Office. The Regulation of Investigatory Powers Act 2000 sets out the conditions under which investigations and covert surveillance can be lawfully conducted. Covert monitoring must cease after the investigation.

## **Signage**

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In areas where CCTV is used, the Council will ensure that there are prominent signs placed within the controlled area which are Data Protection Act compliant. It is not possible to guarantee that the system will cover or detect every single incident taking place in the areas of coverage. Images are recorded 24 hours per day, and HD quality cameras with night vision functionality are used.

## **Storage and Retention of CCTV images**

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Recorded data will be retained for no longer than is necessary. While retained, the integrity of the recordings will be maintained to ensure their evidential value and to protect the rights of the people whose images have been recorded. All retained data will be stored securely. The recording facility destroys images on a 30 day rotation.

## **Subject Access Requests**

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Individuals have the right to request access to CCTV footage relating to themselves under the Data Protection Act. All requests should be made using the forms which can be supplied, and each application will be supplied on its merits. Individuals submitting requests for access will be asked to provide sufficient information to enable the footage relating to them to be identified. The response time will be without undue delay and within one month of receipt. The Town Council reserves the right to refuse access to CCTV footage where this would prejudice the legal rights of other individuals or jeopardise an ongoing investigation.

## **Access to CCTV images**

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Access to recorded CCTV images will only be made for a specified purpose, at an identified time and in pursuit of a legitimate aim. Access to footage is strictly controlled by the Town Clerk, DPO, the Police and other designated bodies on a 'need to know' basis and Anglia Technology for maintenance purposes. Under no circumstances will it be made widely available. All access to recorded data will be logged, stating - name, date, reason for access and evidence downloaded

## **Access to and Disclosure of images to Third Parties**

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There will be no disclosure of recorded data to third parties other than to authorised personnel such as the Police or service providers who would need access to the data.

## Complaints

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Any complaints should be made to the Town Clerk at the details mentioned above.



# NORTH WALSHAM TOWN COUNCIL

## Information Audit

Adopted by the Council at its meeting held on 23.9.19

Personal Data held, for what purpose and who it's shared with. Our General Privacy Statement is available at -

<https://www.nwtc.org.uk/the-council/policies>

Documents	personnel detail held	Purpose	legal basis	keep for length of time	shared with	purpose of sharing
<b>Personnel</b>						
Salary/tax codes/Pension	salary, pension contributions	Employment	Legal obligation	6 years + current	HMRC, Nfk Pension	payroll monthly payments
Contract/timesheets/ references/job description/ appraisals	Managing Employment	Employment	Legal obligation	6 months after termination	Personnel Committee	Annual appraisal
CV, Job application	Contact details, Employment history	Recruitment	Legal obligation	6 months if unsuccessful	No shared	N/A
<b>Councillors</b>						
Application for co-option	Contact details, reasons to be on council	Reference	Public Task	3 months after vacancy	Not shared	N/A
Declaration of Interest	Pecuniary & other interests	Legal requirement	Public Task	while a councillor	website	Public info
List of Councillors	contact details	Public to contact councillors	Public Task	while a councillor	website, noticeboard	Public info
<b>Members of Public</b>						
Electoral Register	Name & address	Reference	Public task	current only	Not shared	N/A
Enquires/complaints from Members of public	Contact details	Request or pass on information	Public task	3mths or as long as needed	Not shared	N/A
Event Management	Contact details, Event information	To consider event request	Public task	If agree 7yrs if not agreed 1yr	Not shared	N/A
Grant applications	Contact details, reason for grant request	To consider grant request	Public task	If awarded 7yrs, if not 1yr	Not shared	N/A
Leases/licences	Property	Reference	Public task	Indefinitely	Not shared	N/A
Allotment waiting list	Contact details	Contact when available	Public task	Plot available or asks to be removed	Not shared	N/A

Allotment tenants	Contact details & signature	Tenancy agreements	Contract	6 years + current	Not shared	N/A
Market Traders	Contact details, trading details	Stall agreements	Contract	6 months after termination	Not shared	N/A
Contractors						
Contractor providing goods or services to the Council	Contact details, details of contract	Contractual	Contract	life of contract or 6 yrs + current	Not shared	N/A
Burial Records						
Exclusive Rights, Cemetery Records, Memorials	contact details of family members	Need to keep contact in event of any issues	Contract	Indefinitely	Not shared	N/A



# NORTH WALSHAM TOWN COUNCIL

## Retention and Disposal Policy

Adopted by the Council at its meeting held on 23.9.19

### 1 Introduction

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- 1.1 The Council accumulates a vast amount of information and data during the course of its everyday activities. This includes data generated internally in addition to information obtained from individuals and external organisations. This information is recorded in various types of documents.
- 1.2 Records created and maintained by the Council are an important asset and as such measures need to be undertaken to safeguard this information. Properly managed records provide authentic and reliable evidence of the Council's transactions and are necessary to ensure it can demonstrate accountability.
- 1.3 Documents may be retained in either "hard" paper form or in electronic forms. For the purpose of this Policy, "document" and "record" refer to both hard copy and electronic records.
- 1.4 It is imperative that documents are retained for an adequate period of time. If documents are destroyed prematurely the Council and individual officers concerned could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage and difficulty in defending any claim brought against the Council.
- 1.5 In contrast to the above the Council should not retain documents longer than is necessary. Timely disposal should be undertaken to ensure compliance with the General Data Protection Regulations so that personal information is not retained longer than necessary. This will ensure the most efficient use of limited storage space.

### 2 Scope and Objectives of the Policy

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- 2.1 The aim of this document is to provide a working framework to determine which documents are:
  - Retained – and for how long; or
  - Disposed of - and if so by what method
- 2.2 There are some records that do not need to be kept at all or that are routinely destroyed in the course of business. This usually applies to information that is duplicated, unimportant or only of a short-term value. Unimportant records of information include:
  - "With Compliments" slips
  - Catalogues and trade journals
  - Non acceptance of invitations
  - Trivial electronic mail messages that are not related to Council business.
  - Requests for information such as maps, plans or advertising material.
  - Out of date distribution lists
- 2.3 Duplicated and superseded material such as stationery, manuals, drafts, forms, address books and reference copies of annual reports may be destroyed.

- 2.4 Records should not be destroyed if the information can be used as evidence to prove that something has happened. If destroyed the disposal needs to be disposed of under the General Data Protection Regulations.

### **3 Roles and Responsibilities for Document Retention & Disposal**

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- 3.1 Councils are responsible for determining whether to retain or dispose of documents and should undertake a review of documentation at least on an annual basis to ensure that any unnecessary documentation being held is disposed of under the General Data protection Regulations.
- 3.2 Councils should ensure that all employees are aware of the retention/disposal schedule.

### **4 Document Retention Protocol**

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- 4.1 Councils should have in place an adequate system for documenting the activities of their service. This system should consider the legislation and regulatory environments to which they work.
- 4.2 Records of each activity should be complete and accurate enough to allow employees and their successors to undertake appropriate actions in the context of their responsibilities to:
- Facilitate an audit or examination of the business by anyone so authorised
  - Protect the legal and other rights of the Council, its clients and any other persons affected by its actions
  - Verify individual consent to record, manage and record disposal of their personal data
  - Provide authenticity of the records so that the evidence derived from them is shown to be credible and authoritative
- 4.3 To facilitate this the following principles should be adopted:
- Records created and maintained should be arranged in a record keeping system that will enable quick and easy retrieval of information under the General Data Protection Regulations
  - Documents that are no longer required for operational purposes but need retaining should be placed at the records office.
- 4.4 The Documents for Retention or Disposal provide guidance on the recommended minimum retention periods for specific classes of documents and records. These schedules have been compiled from recommended best practice from the Public Records Office, the Records Management Society of Great Britain and in accordance with relevant legislation.
- 4.5 Whenever there is a possibility of litigation, the records and information that are likely to be affected should not be amended or disposed of until the threat of litigation has been removed.

### **5 Document Disposal Protocol**

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- 5.1 Documents should only be disposed of if reviewed in accordance with the following:
- Is retention required to fulfil statutory or other regulatory requirements?
  - Is retention required to meet the operational needs to the service?
  - Is retention required to evidence events in the case of dispute?
  - Is retention required because the document or record is of historic interest or intrinsic value?
- 5.2 When documents are scheduled for disposal the method of disposal should be appropriate to the nature and sensitivity of the documents concerned. A record of disposal will be kept to comply with the General Data Protection Regulations.
- 5.3 Documents can be disposed of by any of the following methods:
- Non confidential records : placed in waste bin for disposal
  - Confidential records or records giving personal information : shred documents
  - Deletion of computer records

- Transmission of records to an external body such as the County Records Office.

5.4 The following principles should be followed when disposing of records:

- All records containing personal or confidential information should be destroyed at the end of the retention period. Failure to do so could lead to the Council being prosecuted under the General Data Protection Regulations.
- the Freedom of Information Act or cause reputational damage
- Where computer records are deleted steps should be taken to ensure that data is “virtually impossible to retrieve” as advised by the Information Commissioner.
- Where documents are of historical interest it may be appropriate that they are transmitted to the County Records Office.
- Back up copies of documents should also be destroyed (including electronic or photographed documents unless specific provisions exist for their disposal).

5.5 Records should be maintained of appropriate disposals. These records should contain the following information:

- The name of the document destroyed.
- The date the document was destroyed.
- The method of disposal

## **6 Data Protection Act 1998, Obligation to Dispose of Certain Data**

6.1 The Data Protection Act 1998 (“Fifth Principle”) requires that personal information must not be retained longer than is necessary for the purpose for which it was originally obtained. Section 1 of the Data Protection Act defines personal information as:

Data that relates to a living individual who can be identified:

(1) from the data, or

(2) from those data and other information, which is in the possession of, or is likely to come into the possession of the data controller

It includes any expression of opinion about the individual and any indication of the intentions of the Council or other person in respect of the individual.

6.2 The Data Protection Act provides an exemption for information about identifiable living individuals that is held for research, statistical or historical purposes to be held indefinitely provided that the specific requirements are met.

6.3 Councils are responsible for ensuring that they comply with the principles of the General Data Protection Regulations namely:

- Personal data is processed fairly and lawfully and, in particular, shall not be processed unless specific conditions are met.
- Personal data shall only be obtained for specific purposes and processed in a compatible manner.
- Personal data shall be adequate, relevant, but not excessive
- Personal data shall be accurate and up to date
- Personal data shall not be kept for longer than is necessary
- Personal data shall be processed in accordance with the rights of the data subject.
- Personal data shall be kept secure

6.4 External storage providers or archivists that are holding Council documents must also comply with the above principles of the General Data Protection Regulations.

## 7 Scanning of Documents

- 7.1 In general once a document has been scanned on to a document image system the original becomes redundant. There is no specific legislation covering the format for which local government records are retained following electronic storage, except for those prescribed by HM Revenue and Customs.
- 7.2 As a general rule hard copies of scanned documents should be retained for three months after scanning.
- 7.3 Original documents required for VAT and tax purposes should be retained for six years unless a shorter period has been agreed with HM Revenue and Customs.

## 8 Review of Document Retentions

- 8.1 It is planned to review, update and where appropriate amend this document on a regular basis (at least every three years in accordance with the *Code of Practice on the Management of Records* issued by the Lord Chancellor).
- 8.2 This document has been compiled from various sources of recommended best practice and with reference to the following documents and publications:
- *Local Council Administration*, Charles Arnold-Baker, 10<sup>th</sup> edition, Chapter 11.11
  - Local Government Act 1972, sections 225-229, section 234
  - SLCC Advice Note 316 Retaining Important Documents
  - SLCC Clerks' Manual: Storing Books and Documents
  - *Lord Chancellor's Code of Practice on the Management of Records* issued under Section 46 of the *Freedom of Information Act 2000*
- 8.3 The retention periods below, start from the date of the meeting in which they were adopted. This date being the Full Council meeting of 23 September 2019

## 9 List of Documents

DOCUMENT	RETENTION PERIOD	REASON	DISPOSAL
<b>Meetings</b>			
Minutes	Indefinite Website 2 years + current year	Audit & Management	Keep indefinitely
Recordings of meetings	Delete after meeting minutes are approved	Management	Delete
<b>Accounts</b>			
Annual Returns & Year end	6 years + current year Website 2 years + current year	Audit & Management	Confidential Waste bin
Payments and receipts accounts	6 years + current year Website 2 years + current year	Archive	Confidential Waste bin
Bank Reconciliations	6 years + current year	Audit & Management	Confidential Waste bin
Bank statements	6 years + current year	Audit & Management	Confidential Waste bin
Bank paying in books	6 years + current year	Audit & Management	Confidential Waste bin
Cheque book stubs	6 years + current year	Audit & Management	Confidential Waste bin
Receipt books	6 years + current year	VAT	Confidential Waste bin



Paid invoices	6 years + current year	VAT	Confidential Waste bin
VAT records	6 years + current year	VAT	Confidential Waste bin
Petty cash, postage & sundries	6 years + current year	Audit & Management	Confidential Waste bin
Fees and charges (allotments/burials/markets)	6 years + current year	Audit & Management	Confidential Waste bin
Investments	6 years + current year	Audit & Management	Confidential Waste bin
<b>Personnel</b>			
Tax Codes & payroll	6 years + current year	HMRC & Superannuation	Confidential Waste bin
Personnel Records	During employment + 6mths	Employment issues & references	Confidential Waste bin
Job Description	During employment + 6mths	Personnel	Confidential Waste bin
Timesheets	Last completed audit year	Audit & Personnel	Confidential Waste bin
Sickness/holiday records	3 years	Audit & Personnel	Confidential Waste bin
Job Applications/interview notes	6 months if unsuccessful	Post interview queries	Confidential Waste bin
<b>Insurance</b>			
Insurance policies	Whilst valid	Audit & Management	Confidential Waste bin
Employer Liability Certificates	20 years	Audit & Management	Confidential Waste bin
Play Equipment Inspection Reports	20 years	Potential claims/Ins Purpose	Confidential Waste bin
Accident/Incident Reports	20 years	Potential claims/Ins Purpose	Confidential Waste bin
Personal injury claim	3 years	Management	Confidential Waste bin
Negligence Claim	6 years	Management	Confidential Waste bin
Defamation Claim	1 year	Management	Confidential Waste bin
<b>Burials</b>			
<ul style="list-style-type: none"> <li>Record of fees collected</li> <li>Register of burials</li> <li>Register of purchased graves</li> <li>Plan of Grave spaces</li> <li>Record of memorials</li> <li>Applications for Interment</li> <li>Applications for right to erect memorials</li> <li>Disposal certificates</li> <li>Copy of exclusive rights certificates</li> </ul>	Indefinite	Archives, Local Authorities Cemeteries Order 1977 (SI 204) Cremations Regulations	Keep indefinitely
Cemetery Rules & Regulations	Retain until reviewed/renewed	Reference	Confidential Waste bin
<b>Planning</b>			

Applications	None	Management	Confidential Waste bin
Appeals	None	Management	Confidential Waste bin
Trees	None	Management	Confidential Waste bin
Local Development Plans	Retained as long as in force	Reference	Confidential Waste bin
Local Plans	Retained as long as in force	Reference	Confidential Waste bin
Town/Neighbourhood Plans	Indefinite, until final adopted plans	Historical purposes	Keep indefinitely
<b>Allotments</b>			
Register & Plans	Retain until replaced	Reference	Confidential Waste bin
Tenancy agreement	7 years after end of tenancy	Management	Confidential Waste bin
<b>Markets</b>			
Traders application forms	6 months after termination	Reference	Confidential Waste bin
Rules & Regulations	Retain until reviewed/renewed	Reference	Confidential Waste bin
<b>Miscellaneous</b>			
General correspondence	3mths or as long as needed	Reference	Confidential Waste bin
Councillor Details	Whilst a Councillor	Public to contact	Confidential Waste bin
Grant Applications	Awarded 7yrs, refused 1yr	Audit & Management	Confidential Waste bin
Electoral Role	Replace after revised role has been received - CONFIDENTIAL	For office use only,	Confidential Waste bin
Members allowances register	NOT APPLICABLE		
Procedures & Policies	Retain until reviewed/renewed	Reference	Confidential Waste bin
Event Management Forms	6 years required for claims, insurance or legal purposes	Management	Confidential Waste bin
CCTV Review log	3 years	Data protection	Confidential Waste bin
Waste Transfer notes	2 Years	Management	Confidential Waste bin
Contracts	6 years	Management	Confidential Waste bin
Tenders & quotes over 25K	12 years	Statute of Limitations	Confidential Waste bin
Leases	Indefinite	Management	Keep indefinitely
Deeds	Indefinite	Audit & Management	Keep indefinitely
Land recovered	12 years	Management	Confidential Waste bin



# NORTH WALSHAM TOWN COUNCIL

## General Privacy Statement

Adopted by the Council at its meeting held on 29.9.20

### Background

This privacy statement lets you know what happens to any personal data that you give to us, or any that we may collect from or about you. Personal data is personal information such as name, address, email address, phone number etc. Your personal data may be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services.

### Source of your Personal Data

We collect data from the following sources:

- You directly
- Your family members or an undertaker (in relation to burial records)

### Data Protection Principles

We will comply with data protection law. This says that personal data we hold about you must be:

- Use lawfully, fairly and in a transparent way
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes
- Adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed
- Accurate and, where necessary, kept up to date
- Kept for no longer than is necessary
- Kept secure

### Legal Basis for Processing your Personal Data

The General Data Protection Regulation –Article 6 sets out the legal basis for processing data. We will rely on one of the following four (sometimes more than one will apply):

- a) Processing is with consent of the data subject
- b) Processing is necessary for the performance of a contract
- c) Processing is necessary for compliance with a legal obligation
- e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

### Sharing your data

The Council may share your personal data with the following other 'third parties'

- The District or County Council – so that we can resolve your query or problem
- Our bank – for making payments to you
- Our auditors
- Other organisations and business who provide services to us such as back-up and email hosting providers, IT software and maintenance providers, document storage providers and suppliers of other back office functions.

We have worked with these third parties to ensure they understand their obligation to put in place appropriate security measures and they will be responsible to you directly for the manner in which they process and protect your personal data.

## Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

## Sensitive Data

In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data what we would like and the reason we need it, so that you can carefully consider whether you wish to consent.

## Your Rights

Here is a list of the rights that all individuals have under data protection laws. They don't apply in all circumstances. If you wish to use any of them, we'll explain at that time if they are appropriate or not.

- The right to be **informed** about the processing of your personal information
- The right to have your personal information **corrected if it is inaccurate** and to have **incomplete personal information completed**
- The right to **object** to processing of your personal information
- The **right to restrict processing** of your personal information
- The **right to have your personal information erased** (the "right to be forgotten")
- The right to **request access** to your personal information and to obtain information about how we process it
- The right to **move, copy or transfer your personal information** ("data portability")

If you wish to exercise any of these rights, please contact us using the details below.

You also have the right to complain to the Information Commissioner's Office which enforces data protection laws: [casework@ico.org.uk](mailto:casework@ico.org.uk) Tel: 0303 123 1113

## Conclusion

In accordance with the law, we only collect a limited amount of information about you that is necessary for correspondence, information, and service provision. We do not use profiling; we do not sell or pass your data to third parties. We do not use your data for purposes other than those specified. We make sure your data is stored securely. We delete all information deemed to be no longer necessary. We may update this page from time to time to reflect changes in the law and/or our privacy practices.

## Data Controller

North Walsham Town Council  
Cedar House  
Office 4  
New Road  
North Walsham  
NR28 9DE

Phone: 01692 404114

Website: [www.nwtc.org.uk](http://www.nwtc.org.uk)

## Data Protection Officer

Town Clerk – Wendy Murphy

Phone: 01692 404114

Email: [townclerk@nwtc.org.uk](mailto:townclerk@nwtc.org.uk)



# **NORTH WALSHAM TOWN COUNCIL**

## **General Data Protection Regulation Policy**

**(adopted from NPTS November 20)**

**Adopted by the Council at its meetings held on 15.12.20**

### **1 Purpose and Background**

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This policy explains to councillors, staff and the public about GDPR. Personal data must be processed lawfully, fairly and transparently; collected for specified, explicit and legitimate purposes; be adequate, relevant and limited to what is necessary for processing; be accurate and kept up to date; be kept only for as long as is necessary for processing and be processed in a manner that ensures its security. This policy updates any previous data protection policy and procedures to include the additional requirements of GDPR which apply in the UK from May 2018. The Government have confirmed that despite the UK leaving the EU, GDPR will still be a legal requirement. This policy explains the duties and responsibilities of the council and it identifies the means by which the council will meet its obligations.

### **2 Identifying the roles and minimising risk**

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GDPR requires that everyone within the Council must understand the implications of GDPR and that roles and duties must be assigned. The Council is the data controller and the Town Clerk is the Data Protection Officer (DPO). It is the DPO's duty to undertake an Information Audit and to manage the information collected by the Council, the issuing of privacy statements, dealing with requests and complaints raised and also the safe disposal of information.

Appointing the Clerk as the DPO must avoid a conflict of interests, in that the DPO should not determine the purposes or manner of processing personal data.

GDPR requires continued care by everyone within the Council, councillors and staff, in the sharing of information about individuals, whether as a hard copy or electronically. A breach of the regulations could result in the Council facing a fine from the Information Commissioner's Office (ICO) for the breach itself and also to compensate the individual(s) who could be adversely affected. Therefore, the handling of information is seen as high/medium risk to the Council (both financially and reputationally) and one which must be included in the Risk Management Policy of the Council. Such risk can be minimised by undertaking an information audit, issuing privacy statements, maintaining privacy impact assessments (an audit of potential data protection risks with new projects), minimising who holds data protected information and the Council undertaking training in data protection awareness.

### **3 Data Breaches**

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One of the duties assigned to the DPO is the investigation of any breaches. Personal data breaches should be reported to the DPO for investigation. The DPO will conduct this with the support of the Personnel Committee. Investigations must be undertaken within one month of the report of a breach. Procedures are in place to detect, report and investigate a personal data breach. The ICO will be advised of a breach (within 3 days) where it is likely to result in a risk to the rights and freedoms of individuals – if, for example, it could result in discrimination, damage to reputation, financial loss, loss of confidentiality, or any other significant economic or social disadvantage. Where a breach is likely to result in a high risk to the rights and freedoms of individuals, the DPO will also have to notify those concerned directly.

It is unacceptable for non-authorised users to access IT using employees' log-in passwords or to use equipment while logged on. It is unacceptable for employees, volunteers and members to use IT in any way that may cause problems for the Council, for example the discussion of internal Council matters on social media sites could result in reputational damage for the Council and to individuals.

## 4 Privacy Notices

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Being transparent and providing accessible information to individuals about how the Council uses personal data is a key element of the Data Protection Act 1998 (DPA) and the EU General Data Protection Regulation (GDPR). The most common way to provide this information is in a privacy notice. This is a notice to inform individuals about what a council does with their personal information. A privacy notice will contain the name and contact details of the data controller and Data Protection Officer, the purpose for which the information is to be used and the length of time for its use. It should be written clearly and should advise the individual that they can, at any time, withdraw their agreement for the use of this information. Issuing of a privacy notice must be detailed on the Information Audit kept by the Council. The Council will adopt a privacy notice to use, although some changes could be needed depending on the situation, for example where children are involved.

## 5 Information Audit

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The DPO must undertake an information audit which details the personal data held, where it came from, the purpose for holding that information and with whom the council will share that information. This will include information held electronically or as a hard copy. Information held could change from year to year with different activities, and so the information audit will be reviewed at least annually or when the council undertakes a new activity. The information audit review should be conducted ahead of the review of this policy and the reviews should be minuted.

## 6 Individual Rights

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GDPR gives individuals rights with some enhancements to those rights already in place:

- the right to be informed
- the right of access
- the right to rectification
- the right to erasure
- the right to restrict processing
- right to data portability
- the right to object
- the right not to be subject to automated decision-making including profiling.

The two enhancements of GDPR are that individuals now have a right to have their personal data erased (sometime known as the 'right to be forgotten') where their personal data is no longer necessary in relation to the purpose for which it was originally collected and data portability must be done free of charge. Data portability refers to the ability to move, copy or transfer data easily between different computers.

If a request is received to delete information, then the DPO must respond to this request within a month. The DPO has the delegated authority from the Council to delete information.

If a request is considered to be manifestly unfounded then the request could be refused or a charge may apply. The charge will be as detailed in the Council's Freedom of Information Publication Scheme. The Personnel committee will be informed of such requests.

## 7 Children

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There is special protection for the personal data of a child. The age when a child can give their own consent is 13. If the Council requires consent from young people under 13, the Council must obtain a parent or guardian's consent in order to process the personal data lawfully. Consent forms for children age 13 plus, must be written in language that they will understand.

## 8 Summary

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The main actions arising from this policy are:

- The Council must be registered with the ICO.
- A copy of this policy will be available on the Council's website. The policy will be considered as a core policy for the Council.
- The Clerk's Contract and Job Description (if appointed as DPO) will be amended to include additional responsibilities relating to data protection.
- An information audit will be conducted and reviewed at least annually or when projects and services change.
- Privacy notices must be issued.
- Data Protection will be included on the Council's Risk Management Policy.
- The Personnel Committee, will manage the process.

This policy document is written with current information and advice. It will be reviewed at least annually or when further advice is issued by the ICO.

All employees, volunteers and councillors are expected to comply with this policy at all times to protect privacy, confidentiality and the interests of the Council.

**North Walsham Town Council**  
**PAYMENTS (AWAITING AUTHORISATION) LIST**

22 May 2025 (2025-2026)

Vouche	Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
37	Admin Running Costs	23/04/2025		Unity Trust Account		Phone	Tech Geeks	S	5.79	1.16	6.95
9	Admin Running Costs	30/04/2025		Unity Trust Account		Equipment	Espo	S	8.20	1.64	9.84
29	Admin Running Costs	30/04/2025		Unity Trust Account		Refuse	Shred station	S	35.00	7.00	42.00
38	General Running Costs	30/04/2025		Unity Trust Account		Equipment	Screwfix	E	31.20		31.20
38	General Running Costs	30/04/2025		Unity Trust Account		Equipment	Screwfix	S	46.35	9.29	55.64
49	Admin Running Costs	30/04/2025		Unity Trust Account		Human Resources	Worknest	S	337.50	67.50	405.00
55	Admin Running Costs	30/04/2025		Unity Trust Account		Equipment	QD	S	2.15	0.43	2.58
66	Admin Running Costs	30/04/2025		Unity Trust Account		Expenses	Various	E	25.00		25.00
68	M&I BUDGET	30/04/2025		Unity Trust Account		Advertising	Just Regional	S	195.00	39.00	234.00
11	General Running Costs	01/05/2025		Unity Trust Account		Equipment	CT Baker	S	5.21	1.04	6.25
19	General Running Costs	01/05/2025		Unity Trust Account		Equipment	CT Baker	S	48.34	9.67	58.01
21	General Running Costs	01/05/2025		Unity Trust Account		Equipment	CT Baker	S	48.34	9.67	58.01
40	General Running Costs	01/05/2025		Unity Trust Account		Equipment	CT Baker	S	17.25	3.45	20.70
71	D & A BUDGET	01/05/2025		Unity Trust Account		Tree's	Tree Hopper	S	5,220.00	1,044.00	6,264.00
136	W M Park Running Costs	30/05/2025		Unity Trust Account		Electricity	Total Energies	S	251.57	50.31	301.88
123	Market Running Costs	30/05/2025		Unity Trust Account		Advertising	Newsquest Media Group	S	90.00	18.00	108.00
95	Market Carboot	30/05/2025		Unity Trust Account		Carboot	SR Print & Design Ltd	S	360.00	72.00	432.00
142	Admin Annual Commitments	30/05/2025		Unity Trust Account		Subscription	Moneysoft Ltd	S	86.00	17.20	103.20
143	Admin Running Costs	30/05/2025		Unity Trust Account		Events	Various	X	1.59		1.59
143	Admin Running Costs	30/05/2025		Unity Trust Account		Events	Various	Z	1.49		1.49
144	Admin Running Costs	30/05/2025		Unity Trust Account		Postage	Post Office	E	13.60		13.60
145	Admin Running Costs	30/05/2025		Unity Trust Account		Milk/Tea/coffee etc.	Various	Z	5.20		5.20
70	Admin Running Costs	30/05/2025		Unity Trust Account		Expenses	Various	E	25.00		25.00
97	Admin Running Costs	30/05/2025		Unity Trust Account		Phone	Dial 9 Comms Ltd	S	113.89	22.78	136.67
87	Admin Running Costs	30/05/2025		Unity Trust Account		IT	Anglian Internet	S	94.00	18.80	112.80
99	Admin Running Costs	30/05/2025		Unity Trust Account		Human Resources	Croner Group Ltd	S	350.57	70.12	420.69
100	Admin Running Costs	30/05/2025		Unity Trust Account		DBS	First Advantage Europe Ltd	S	42.00	8.40	50.40
100	Admin Running Costs	30/05/2025		Unity Trust Account		DBS	First Advantage Europe Ltd	E	43.00		43.00
110	Admin Running Costs	30/05/2025		Unity Trust Account		CCTV	Anglia Technology	S	419.79	83.96	503.75
120	Admin Running Costs	30/05/2025		Unity Trust Account		Photocopier	Office Flow	S	68.04	13.61	81.65
140	Admin Running Costs	30/05/2025		Unity Trust Account		Milk/Tea/coffee etc.	Various	Z	1.35		1.35
141	Admin Running Costs	30/05/2025		Unity Trust Account		First Aid	St John Ambulance	Z	25.56		25.56
129	Admin Running Costs	30/05/2025		Unity Trust Account		Equipment	Espo	S	26.20	5.24	31.44
130	Admin Running Costs	30/05/2025		Unity Trust Account		Photocopier	Office Flow	S	48.60	9.72	58.32



# North Walsham Town Council

## PAYMENTS (AWAITING AUTHORISATION) LIST

22 May 2025 (2025-2026)

Vouche	Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
106	Admin Leases & Agreements	30/05/2025		Unity Trust Account		Subscription	Scribe	S	1,140.00	228.00	1,368.00
95	Other Events	30/05/2025		Unity Trust Account		Carboot	SR Print & Design Ltd	S	270.00	54.00	324.00
103	Admin Training	30/05/2025		Unity Trust Account		Training	Frettenham Parish Council	E	80.00		80.00
70	Admin Training	30/05/2025		Unity Trust Account		Expenses	Various	E	22.50		22.50
113	Admin Training	30/05/2025		Unity Trust Account		Training	Jarrolds Training	S	1,150.00	230.00	1,380.00
125	Admin Training	30/05/2025		Unity Trust Account		Expenses	Various	E	16.20		16.20
128	Legal	30/05/2025		Unity Trust Account		Human Resources	Leathes Prior Solicitors	S	500.00	100.00	600.00
131	Legal	30/05/2025		Unity Trust Account		Human Resources	Leathes Prior Solicitors	S	500.00	100.00	600.00
105	General Annual Commitments	30/05/2025		Unity Trust Account		Fire Extinguishers	Ace Fire	S	175.45	35.09	210.54
96	General Repairs/Maintenance	30/05/2025		Unity Trust Account		Equipment	Ernest Doe	S	29.17	5.83	35.00
119	General Repairs/Maintenance	30/05/2025		Unity Trust Account		Fountain	Lake & Nichols	S	65.00	13.00	78.00
127	General Repairs/Maintenance	30/05/2025		Unity Trust Account		Equipment	CT Baker	S	11.63	2.33	13.96
124	General Running Costs	30/05/2025		Unity Trust Account		Equipment	CT Baker	S	33.00	6.60	39.60
126	General Running Costs	30/05/2025		Unity Trust Account		Equipment	CT Baker	S	39.73	7.95	47.68
108	General Running Costs	30/05/2025		Unity Trust Account		Equipment	CT Baker	S	33.00	6.60	39.60
101	General Running Costs	30/05/2025		Unity Trust Account		Equipment	CT Baker	S	6.50	1.30	7.80
102	General Running Costs	30/05/2025		Unity Trust Account		Fuel	Fuel Genie	S	316.09	63.21	379.30
86	D & A BUDGET	30/05/2025		Unity Trust Account		Equipment	CT Baker	S	57.46	11.49	68.95
116	Other Grants	30/05/2025	FC 29.04.2025 - Item 17	Unity Trust Account		Grant	Paul Robinson	X	270.00		270.00
112	Other Events	30/05/2025		Unity Trust Account		Road Closures	Norfolk County Council	X	92.70		92.70
132	Miscellaneous	30/05/2025		Unity Trust Account		Land Registry	Spire Property Consultants	S	163.31	32.66	195.97
134	Trackside Running Costs	30/05/2025		Unity Trust Account		Electricity	Total Energies	S	262.97	52.60	315.57
135	Trackside Running Costs	30/05/2025		Unity Trust Account		Electricity	Total Energies	S	-27.96	-5.59	-33.55
138	General Streetlights	30/05/2025		Unity Trust Account		Electricity	Total Energies	S	253.67	50.74	304.41
139	General Streetlights	30/05/2025		Unity Trust Account		Electricity	Total Energies	L	205.84	10.29	216.13
109	General Streetlights	30/05/2025		Unity Trust Account		Electricity	Cozens (UK) Ltd	S	25.00	5.00	30.00
111	General Vehicles	30/05/2025		Unity Trust Account		Vehicles	A B Autos	S	1,107.33	221.47	1,328.80
111	General Vehicles	30/05/2025		Unity Trust Account		Vehicles	A B Autos	X	58.60		58.60
98	D & A BUDGET	30/05/2025		Unity Trust Account		Tree's	Tree Hopper	S	2,950.00	590.00	3,540.00
121	D & A BUDGET	30/05/2025		Unity Trust Account		Christmas Lights	John Plummer Partnership	S	193.75	38.75	232.50
114	D & A BUDGET	30/05/2025		Unity Trust Account		Fountain	Goodyear Plumbing Service	X	195.60		195.60
137	Chapel Running Costs	30/05/2025		Unity Trust Account		Electricity	Total Energies	L	39.19	1.96	41.15
133	Chapel Running Costs	30/05/2025		Unity Trust Account		Electricity	Total Energies	L	36.93	1.85	38.78
104	M&I BUDGET	30/05/2025		Unity Trust Account		Advertising	Rocket	S	420.00	84.00	504.00
107	M&I BUDGET	30/05/2025		Unity Trust Account		Advertising	Century Printing	E	419.00		419.00

North Walsham Town Council

PAYMENTS (AWAITING AUTHORISATION) LIST

Vouche	Code	Date	Minute	Bank	Cheque No	Description	Supplier	VAT Type	Net	VAT	Total
122	M&I BUDGET	30/05/2025		Unity Trust Account		Advertising	Just Regional	S	195.00	39.00	234.00
117	M&I BUDGET	30/05/2025		Unity Trust Account		Postage	Post Office	E	57.15		57.15
115	M&I BUDGET	30/05/2025		Unity Trust Account		Leaflets	Menzies Response	S	412.00	82.40	494.40
Total									19,868.59	3,654.52	23,523.11

# North Walsham Town Council

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

Name and Role (Clerk/RFO etc)

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

Name and Role (RFO/Chair of Finance etc)

<b>A</b>	<b>Bank Reconciliation at 30/04/2025</b>		
	Cash in Hand 01/04/2025		468,164.26
	<b>ADD</b> Receipts 01/04/2025 - 30/04/2025		219,526.75
	<b>SUBTRACT</b> Payments 01/04/2025 - 30/04/2025		687,691.01
	<b>Cash in Hand 30/04/2025</b> (per Cash Book)		94,087.54
<b>B</b>			<b>593,603.47</b>
	Cash in hand per Bank Statements		
	Petty Cash 30/04/2025	0.00	
	CCLA Savings 30/04/2025	185,000.00	
	Redwood Savings 30/04/2025	85,000.00	
	Unity Trust Account Main 30/04/2025	222,365.69	
	Unity Trust Instant Access Account 30/04/2025	101,809.67	
	Unity Trust Wages Account 30/04/2025	492.05	
	Business Reserve 30/04/2025	0.00	
	Account Main 30/04/2025	0.00	
	Wages 30/04/2025	0.00	
			<b>594,667.41</b>
	Less unrepresented payments		1,063.94
			593,603.47
	Plus unrepresented receipts		
	<b>Adjusted Bank Balance</b>		<b>593,603.47</b>
	<b>A = B Checks out OK</b>		

North Walsham Town Council  
Summary of Receipts and Payments  
Summary - Cost Centres Only

Cost Centre	Receipts			Payments			Net Position
	Budgeted	Actual	Variance	Budgeted	Actual	Variance	+/- Under/over spend
Admin	51,000.00	57,354.37	6,354.37 (12%)	43,250.00	57,992.74	-14,742.74 (-34%)	-8,388.37
Amenities	10,750.00	41,527.38	30,777.38 (286%)	10,750.00	2,615.22	8,134.78 (75%)	38,912.16
Cemetery	35,250.00	24,466.00	-10,784.00 (-30%)	20,000.00	7,611.82	12,388.18 (61%)	1,604.18
Cemetery Chapel	6,000.00	6,000.00	0.00 (N/A)	6,000.00	796.57	5,203.43 (86%)	5,203.43
Committee Reserves			0.00 (N/A)		12,066.74	-12,066.74 (-12066%)	-12,066.74
EARMARKED RESERVES			0.00 (N/A)		22,313.84	-22,313.84 (-22313%)	-22,313.84
General	56,100.00	56,100.00	0.00 (N/A)	54,500.00	73,578.04	-19,078.04 (-35%)	-19,078.04
Market	24,000.00	21,794.94	-2,205.06 (-9%)	23,750.00	5,474.05	18,275.95 (76%)	16,070.89
Miscellaneous		17,319.98	17,319.98 (173199%)	6,000.00	16,912.22	-10,912.22 (-181%)	6,407.76
Other	23,400.00	25,097.25	1,697.25 (7%)	23,400.00	14,027.75	9,372.25 (40%)	11,069.50
Poppies	5,040.00	5,040.00	0.00 (N/A)	6,000.00	10,296.97	-4,296.97 (-71%)	-4,296.97
PRECEPT			0.00 (N/A)			0.00 (N/A)	0.00
Salaries	250,000.00	250,000.00	0.00 (N/A)	255,000.00	287,453.57	-32,453.57 (-12%)	-32,453.57
Services			0.00 (N/A)			0.00 (N/A)	0.00
Trackside/Skatepark	5,000.00	5,000.00	0.00 (N/A)	2,750.00	3,731.71	-981.71 (-35%)	-981.71
Vehicle Compound	1,500.00	1,500.00	0.00 (N/A)	1,500.00	583.39	916.61 (61%)	916.61
War Memorial Park	13,280.00	28,412.14	15,132.14 (113%)	13,250.00	6,435.97	6,814.03 (51%)	21,946.17
Woodville	1,750.00	1,750.00	0.00 (N/A)	1,750.00	191.40	1,558.60 (89%)	1,558.60
NET TOTAL	483,070.00	541,362.06	58,292.06 (12%)	467,900.00	522,082.00	-54,182.00 (-11%)	4,110.06
Total for ALL Cost Centres		541,362.06			522,082.00		
V.A.T.		28,305.71			32,527.90		
GROSS TOTAL		569,667.77			554,609.90		



# NORTH WALSHAM TOWN COUNCIL

## Regular Payments for 2025/26

### Approved payments made by Direct Debit/Card

- **Dial 9 Communications** (VoIP phone rental & calls)
- **Anglian Internet** (Internet Provider/Sharepoint)
- **Total Energies** (Electricity Chapel Workshop)
- **Total Energies** (Electricity Vehicle Compound)
- **Total Energies** (Electricity Market Cross)
- **Total Energies** (Electricity Trackside)
- **Total Energies** (Electricity Memorial Park)
- **Total Energies** (Electricity Streetlights)
- **Fuel Genie** (Fuel)
- **Anglian Water** (Water - Chapel workshop)
- **Office Flow** (Photocopier)
- **Espo** (Stationery)
- **Screwfix** (Ground maintenance)
- **Ernest Doe** (Ground maintenance)
- **Anglia Technology** (CCTV maintenance)
- **Land Registry** (Registrations/queries)
- **C T Baker** (Ground maintenance)
- **Heelis & Lodge** (Internal Auditor)
- **Anglian Internet** (IT Support)
- **Croner** (HR & H&S Package)
- **Shred Station** (confidential waste)

### Approved payments made by Standing Orders

- **Unison** (Staff union fees)

### Approved Annual Subscriptions

- **Information Commissions Office** (Data protection registration)
- **Parish Online** (online mapping software)
- **Norfolk Parish Training & Support** (support & training for council & clerk)
- **SLCC** (support & training for council & clerk)
- **Norfolk ALC** (support for council & clerk)
- **NP Law** (10 hours legal time annually)
- **Institute Cemetery & Crem Man** (Help and support for cemeteries & burials)
- **NNDC** (Rates, rubbish bins, Premise Licences, Lottery Licence)
- **Moneysoft** (Annual Payroll software licence)
- **Scribe** (Annual Accounts software licence)
- **ROSPA/Play safety** (Annual playground inspection)

- **PKF Little John** (*External Auditor*)
- **Heelis & Lodge** (*Internal Auditor*)
- **Dragon Security** (*Maintenance Pavilion security shutters*)
- **DVLA** (*Tax disc Flatbed truck*)
- **Fasthosts** (*Website hosting & certificate*)
- **Brown & Co** (*Bus shelter Park Lane rental*)
- **Croner** (*HR & H&S Package*)
- **Phoenix Group** (*membership*)
- **Anglian Internet** (*IT Support*)
- **Cooler Aid** (*water cooler*)

## **Approved Leases & Agreements**

- **Clear Insurance** (*Insurance*)
- **NNDC** (*Council Office Service Charge*)
- **NNDC** (*Emptying of Dog bins*)
- **Grenke** (*Photocopier Lease*)
- **NWPCC** (*MI Centre Lease*)
- **Anglia Technology** (*CCTV annual equipment management*)



# NORTH WALSHAM TOWN COUNCIL

## Approved Suppliers 2025/26

- AB Autos
- Ace Fire
- Anglia Technology
- Anglian Internet
- Anglian Electrical Contractors
- Amazon
- Barnetts Cleaning Solutions
- Ben Burgess
- Breedon Trading LTD
- Broadland Tail Lift Services
- Chris Baker Defibs
- Community Trust Heartbeat
- Collier Turf Care
- CoolerAid
- Cozens
- Croner
- CT Baker
- Dial9
- Ernest Doe
- Espo
- FastHosts
- Fuel Genie
- Graphic Edge
- Grenke
- Hags SMP
- HM Plant Hire
- JA Plant Hire
- Just Regional Publishing
- Lake & Nichols
- Land Registry
- Mark Sayer Electrical
- Matthew Williams Digger Hire
- Millennium Pest Control
- Nick Hindle
- Norfolk Parish Training Support
- North Walsham Garden Centre
- Officeflow
- Petes Property Services
- Phil Scott
- Plan.com
- Poppies Nursery
- PKF Littlejohn
- Saturn AV
- Saxon Motors
- Screwfix (Trade Account)
- Shred Station
- SLCC
- SR print
- Total Energies
- Travis Perkins
- Tree Hopper
- Westcotec
- Wayne Beauchamp
- Worknest



# NORTH WALSHAM TOWN COUNCIL

## Fees – 2025/26

Adopted by the Council at its meetings held on 27.05.2025

### Interments:

	Parishioners	Non-Parishioners
Child age not exceeding 18 years.	NIL	NIL
Burial - Single/re-opening of Double	£387	£775
Burial - Double	£528	£1059
Ashes - Single/Double	£136	£232

### Exclusive Rights (duration of 75 years):

	Parishioners	Non-Parishioners
Child age not exceeding 18 years	NIL	NIL
Burial - Single/Double	£239	£539
Ashes - Single/Double	£135	£260
Change of ownership of Exclusive Rights	NIL	NIL

### Memorials: (fees include original inscription)

	Parishioners	Non-Parishioners
Headstone (not exceeding 2ft 6inch in height)	£127	£255
Vase/Tablet (not exceeding 18inch x 18inch)	£81	£163
Desktop/Book	£108	£216
Each additional inscription	£62	£124
Use of the Cemetery Chapel:	£44	£44
Additional fees to bury outside Cemetery hours (religious/medical reasons only):	£62	£118

### Allotments

War Memorial Park x6 size	£20
Bacton Rd Cemetery x 10 size	£30

### Markets

0.96p per foot, for a weekly stall	min £9.60
Casual stalls	min £12
Sunday market	min £10

### Advertising

Trackside	£750+VAT per year
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### Rentals

Poppies	Lease/Rent
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# NORTH WALSHAM TOWN COUNCIL

## Summary Report of the Events & Tourism Working Group Meeting

held on Thursday 15<sup>th</sup> May 2025, Cedar House, New Road, North  
Walsham NR28 9DE

### **Present:**

**Town Councillors:** Cllr Seward, Cllr Richardson, Cllr Scannell

**NWTC Employees:** Jasmine Dewbery (Chair, Assistant Clerk), Wendy Murphy (Town Clerk)

**Members of Public:** Rob Murphy (NW Children's Day), Claire Smith-Hawkins (Vice-Chair), Judy Van Lawick (Heritage & Information Centre), Roger Smith (Chair RBL Norfolk)

The meeting opened at 18:30

### **APOLOGIES FOR ABSENCE**

None

### **UPDATES**

- A generous member of the public has offered to pay for the Pride Flag in full.
- VE Day was successful, with a large turn out of the public.
- Children's Day was successful too, with a cheque going to the Air Cadets.

### **VJ DAY PLANS**

- Exhibition of photos and memorabilia in the Market Place and then moved to the War Memorial Park for the evening event. JVL has some files that can be used, scanned and reprinted.
- Getting children involved to create a map of SE Asia which could be displayed alongside the above.
- Following the same format for the day as VE Day: AM – Town Crier, prayers & flag, Noon – Silence, PM (eve) – Prayers, Lighting the Beacon etc.
- Additional evening entertainment – a couple of food/drink vendors to be there from approx. 4.30pm until finish. Some singers or bands for entertainment, perhaps in a tent or on a lorry back.
- Decorations – bunting. Ask local shops to decorate their windows.

### **BENCHES**

There are six benches within the Memorial Gardens which are due to have plaques installed on them.

The VE/VJ Day bench has arrived and will be installed soon.

### **CAR BOOT UPDATE**

Initials.....

Date:.....



# NORTH WALSHAM TOWN COUNCIL

## Summary Report of the Events & Tourism Working Group Meeting

held on Thursday 15<sup>th</sup> May 2025, Cedar House, New Road, North  
Walsham NR28 9DE

Another very successful one! First Aid incident where a member of the public fell over her belongings and required an ambulance.

### **NEXT EVENT**

The next event is the Street Feast/Picnic in the Churchyard. This will be advertised heavily soon.

### **PRIDE**

CSM to chase as no responses from vendors/organisations.

### **DATE OF NEXT MEETING**

Dependent on Full Council meetings to be agreed 27.05.2025

Meeting closed at 19.25

Initials.....

Date:.....

NNDC Ref: PF/25/0896  
Date: 7th May 2025

Contact: Mr Harry Gray

Wendy Murphy  
North Walsham Town Council  
Office 4  
Cedar House  
3 New Road  
North Walsham  
NR28 9DE

**Planning Consultation**  
North Walsham

Proposal: Removal of conservatory and erection of single-storey rear extension

Location: 23 Cromer Road, North Walsham, Norfolk, NR28 0HA

Dear Sir/Madam,

We have received the above application, details of which may be viewed on our website

<https://idoxpa.north-norfolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SUUZWMLNL4J00>

If your Council would like to offer comments on the application, please do so by 28/05/2025 via our website or by emailing [planning.consultation@north-norfolk.gov.uk](mailto:planning.consultation@north-norfolk.gov.uk)

It would be useful if you would indicate whether your Council

1. Supports the application;
2. Has no objection or comment;
3. Objects to the application;

Giving reasons where appropriate.

If we do not receive a response within this time we will assume that you do not wish to comment.

Kind regards

Mr Harry Gray (Trainee Planning Officer)  
[harry.gray@north-norfolk.gov.uk](mailto:harry.gray@north-norfolk.gov.uk)  
01263 516244