



To All Credition Town Councillors

You are hereby summoned to attend a meeting of **Full Council**, which will be held on **Tuesday, September 15, 2026, at 18:00, at Credition Library, Belle Parade, Credition, EX17 2AA.**

This meeting may be livestreamed via Facebook in order to allow Members of the Public to watch the meeting.

The purpose of the meeting is to transact the following business.

Rachel Avery FSLCC

Town Clerk

Thursday, 10 September 2026

Please note that:

- Members of the Press & Public are invited to attend under the Public Bodies (Admission to Meetings) Act 1960. Members of the public will be given the opportunity to address councillors in attendance as part of the agenda.
- Under the Openness of Local Government Bodies Regulations 2014, any members of the public or press are allowed to take photographs, film and audio record the proceedings and report on all public sections of the meeting.
- Under the Local Government Act (LGA) 1972 Sch 12 10(2)(b), Credition Town Council is unable to make any decision on matters not listed within the agenda.
- Credition Town Council will always attempt to record and livestream meetings to Credition Town Council's social media platforms.

AGENDA

2026/062 - Welcome and Introduction

Opening of meeting by the Chair and member introductions

2026/063 - Public Question Time

To receive questions from members of the public relevant to the work of the council (CTC's adopted Standing Orders 3d, 3e and 3f; a maximum period of 3 minutes will be permitted for any person wishing to ask up to three questions, with a maximum of 6 minutes being allowed for this item) (due to the time limit on this meeting, public question time has been reduced for this meeting only)

2026/064 - Apologies

To receive and accept Town Councillor apologies (apologies should be made to the Town Clerk)

2026/065 - Declarations of Interest and Requests for Dispensations

2026/065.1 - To receive declarations of personal interest and disclosable pecuniary interests (DPI's) in respect of items on this agenda

2026/065.2 - To consider any dispensation requests (requests should be made to the Town Clerk prior to the meeting)

2026/066 - Order of Business

At the discretion of the Chair, to adjust, as necessary, the order of agenda items to accommodate visiting members, officers or members of the public

2026/067 - Chair's and Clerk's Announcements

To receive any announcements which the Chair and Town Clerk may wish to make (for information only)

2026/068 - Town Council Minutes

To approve and sign the minutes of the meeting held on 01 September 2026, as a correct record (minutes will be issued with the agenda)

2026/069 - Policies (motion from Cllr Huxtable)

2026/069.1 - To review, assess and adopt the following revised policies:

Standing Orders

Financial Regulations

Scheme of Delegation

Terms of Reference

2026/069.2 - To create a Working Group to determine amendments required, for adoption by Full Council no later than 17 November 2026

2026/070 - Approval of decisions following incorrect approval of Scheme of Delegation

To receive the Town Clerk's report regarding Full Council approval of decisions made by committees, and approve the recommendations therein

2026/071 - Paddling Pool

To resolve that, following receipt of survey results, the Community Committee is given delegated authority to approve:

- which option Crediton Town Council wishes to proceed with, with regards to the future of water play in Newcombes Meadow
- agree whether the chosen option will include the provision of a toilet block (subject to MDDC's investigation of restricted covenants)
- consider entering negotiations with MDDC regarding the future safeguarding of the asset to potentially include ongoing responsibility for day-to-day maintenance.

2026/072 - Date of next meeting

To note that the date of the next meeting will be Tuesday 17 November 2026

2026/073 - Reports Pack**Attachments – for internal use only**

[2026-09-01 - Full Council - Minutes.pdf](#)

[S Huxtable motion.pdf](#)

[Standing Orders - March 2026.docx](#)

[Financial Regulations - May 2026 amends Sept 2026.docx](#)

[Terms of Reference 2026 \(2026.27\) amends Sept 2026.docx](#)

[Scheme of Delegation with amends Sept 2026.docx](#)

[Approval of Decisions.docx](#)



Minutes of the Full Council meeting held on Tuesday, September 1, 2026 at 19:30 at Credition Library, Belle Parade, Credition, EX17 2AA

Present: Cllrs Steve Huxtable, Guy Cochran, Giles Fawssett, John Downes, Jim Cairney, Liz Brookes-Hocking, Joyce Harris, Vix Frisby, Rachel Backhouse and Tim Stanford

Apologies: Cllrs Paul Perriman and Natalia Letch

In Attendance: 8 members of the public

Minute Taker: Rachel Avery, Town Clerk

MINUTES

2026/038 PUBLIC QUESTION TIME

Cllr Huxtable opened the meeting and members introduced themselves.

Before taking formal questions, the Chair re-read a revised statement on the conduct of town council meetings.

*Town council meetings are meetings **IN** public, not meetings **OF** the public. The law allows members of the public and the press admission to town council meetings so that they can observe democracy in action.*

It is important that councils make decisions transparently and openly, allowing members of the public to give their views and raise issues that the council may wish to consider, but it is also important to remember that members of the public do not have a formal role in the governance of the council, proposing or making decisions at local council meetings, including with regards to the minutes of meetings.

Clearly members of the public may want to share their views on council priorities and actions, and indeed have the right, and are indeed welcomed to scrutinise council activities, decisions made, processes and offer constructive comments not only at Council meetings but by other means too.

All questions and comments should be factual, polite and, at Full Council meetings restricted to matters over which the council has direct authority – for committee and sub-committee meetings the comments and questions must be in respect of items on their agenda.

Public Questions at council meetings is one of the options available, but more commonly letters/emails and telephone calls to the council, are the avenues used by the majority of members of the public. In addition there is also 30 minutes available before each Full Council Meeting to discuss such topics.

Staff, councillors and members of the public should not criticise any members of the public or the performance or ability of staff or individual councillors at Council

meetings – it is not acceptable. This is especially true in the light of our signing of the pledge on Civility and Respect.

Should a complaint against staff and/or councillors be necessary details of the process is available on the CTC and MDDC websites.

A member of the public stated that they would continue to criticise staff, councillors and the council, because there was so much to criticise.

Cllr Backhouse said the environment at recent meetings had become toxic and described feeling personally threatened, arguing that the revised wording was an attempt to reduce intimidation and protect both councillors and staff. Cllr Downes drew a distinction between criticism of decisions and offensive or personalised comments, while a further contribution suggested the wording still created a poor public impression and would benefit from a further redraft. Cllr Huxtable accepted that versioning might need to continue and indicated willingness to revisit the wording.

Public questions were raised as follows:

- Standing Orders now limit each person to 3 questions, but argued that the council should be equally diligent in answering, pointing out that written answers published on the website appeared to stop at 3 March and describing the council as around 140 days late against its own 10 working day response expectation
- It had taken seven months to replace a noticeboard and then five months to repair the Town Clock, asking what changes had been made so that the Town Clerk could act more quickly and efficiently in future
- Since early June, High Street pavements, kerbs, traffic islands and street furniture areas had been kept clear of weeds and dirt to a 3-month cycle and asked whether the council would support and potentially remunerate that work on terms similar to those used for Turning Tides in the Town Square
- Criticism of the handling of the Crediton Visitor Guide, stating that several hundred pounds had been invested, around 4,000 copies were received in autumn 2024, and about 30 unopened boxes were still believed to be in storage, with advertisers left without the expected physical distribution
- Concerns raised regarding anti-social behaviour, police training and resilience, including concerns that reporting through 101 and online channels remained slow or inaccessible for some residents.

In response, Cllr Huxtable did not give substantive answers in the meeting but repeatedly confirmed that responses would be provided after the meeting, including an assurance that replies would be issued within 10 working days.

Task: Cllr Huxtable to provide written responses to the public questions raised.

2026/039

APOLOGIES

Decision: It was **resolved** to receive and accept apologies from Cllrs Perriman (personal) and Letch (personal). (Proposed by Cllr Huxtable)

2026/040 DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

2026/040.1 TO RECEIVE DECLARATIONS OF PERSONAL INTEREST AND DISCLOSABLE PECUNIARY INTERESTS (DPI'S) IN RESPECT OF ITEMS ON THIS AGENDA

No personal interests or disclosable pecuniary interests were declared in respect of items on the agenda.

2026/040.2 TO CONSIDER ANY DISPENSATION REQUESTS (REQUESTS SHOULD BE MADE TO THE TOWN CLERK PRIOR TO THE MEETING)

No dispensation requests had been received.

2026/041 ORDER OF BUSINESS

There were no changes to the order of business.

2026/042 CHAIR'S AND CLERK'S ANNOUNCEMENTS

No announcements were made by either the Chair or the Town Clerk.

Earlier in the opening introductions, councillors briefly referred to a second showing of a national emergency briefing, noting that around 100 MPs had signed up, and linked recent severe weather to wider climate concerns.

2026/043 TOWN COUNCIL MINUTES

Decision: It was **resolved** to approve the minutes of the Full Council meeting held on Tuesday 07 July 2026. (Proposed by Cllr Backhouse)

2026/044 TOWN COUNCIL COMMITTEES AND SUB-COMMITTEES

The minutes of the following meetings were reviewed: -

- Oversight Committee held on 23 June 2026
Decision: It was **resolved** to **ratify** the minutes of the Oversight Committee held on 23 June 2026. (Proposed by Cllr Harris)
- Community Committee held on 07 July 2026
Decision: It was **resolved** to **ratify** the minutes of the Community Committee held on 07 July 2026. (Proposed by Cllr Brookes-Hocking)
- Grants Sub-Committee held on 21 July 2026
Decision: It was **resolved** to **ratify** the minutes of the Grants Sub-Committee meeting held on 21 July 2026. (Proposed by Cllr Harris)

2026/045 COUNTY AND DISTRICT COUNCILLOR REPORTS

No written County or District Councillor reports had been received by the time this item was reached. One councillor indicated there was a brief point to raise, but Cllr Huxtable asked for that to be taken later if time allowed.

2026/046 REPORTS FROM OUTSIDE BODIES

Hayward's Educational Foundation: Cllr Cairney informed members that the tree which had prompted concern had been cut by a professional tree surgeon in a way intended to protect the roof of a nearby house, and that regrowth was now evident
DALC: Cllr Brookes-Hocking noted that the conference on 7 October was approaching.

Twinning Association: Cllr Huxtable confirmed that the Twinning Association was due to meet later in the month, with a further update to follow if needed.

Boniface Trail Association: Cllr Fawssett reported to members that a topographical scan was planned on the 2-mile stretch linked to the proposed cycle route.

Age Concern: Cllr Frisby reported meeting with the manager, describing early work on a programme of additional activities and further developments planned.

2026/047 BUDGET VIREMENT

Decision: It was **resolved to approve** the budget virement of £1,250.00 from the Old Landscore School insurance budget to the main insurance budget was approved to cover Manor Office insurance costs. (Proposed by Cllr Brookes-Hocking)

2026/048 CYBER INSURANCE

Members discussed whether to proceed with cyber insurance and how it should relate to existing technical support.

Standing Orders were suspended

A member of the public asked what provision the IT company offer.

Standing Orders were reinstated

Cllr Fawssett argued strongly against further digital dependency and questioned whether the council should be spending more on cyber products at all. Others took the opposite view, pointing to the frequency of attacks, the increasing sophistication of fraud and AI-enabled intrusion, and the reputational and financial risk of data breach, ransomware, account compromise, website outages and loss of records. Members also noted that staff receive some training, but councillors do not currently have equivalent guidance on suspicious emails and related cyber risks.

Discussion focused on possible overlap with the council's IT provider. Members asked whether backup, cloud storage and related protections already formed part of the existing support arrangement and whether insurance could duplicate cover that should already sit with the contractor. The Town Clerk confirmed that Nexus had previously advised the council to obtain cyber insurance, but members asked for a more detailed mapping of what is already covered against the risks listed in the proposed policy. Rather than choose a provider immediately, the council agreed to seek that clarification and return the matter to a future meeting in November.

Decision: Further consideration of cyber insurance was deferred pending clarification from Nexus on existing coverage and any overlap with the proposed policy, with the matter to return in November.

Task: Ask Nexus to map its existing coverage against the risks listed in the proposed cyber insurance policy and report the findings back to council in November. @Rachel Avery

2026/049 TRANSFER OF FUNDS TO CCLA

Decision: It was **resolved to approve** the transfer of £100,000.00 into CCLA was approved. (Proposed by Cllr Brookes-Hocking)

2026/050 EARMARKED RESERVES TRANSFER

Decision: It was **resolved** to **approve** the transfer £1,500.00 from earmarked reserves into the grants budget if required to support a grant recommendation for Welcoming Refugees in Crediton following the committee process. (Proposed by Cllr Fawcett)

2026/051 MANOR OFFICE INTERNAL BUILDING WORKS PROCUREMENT

The report on the procurement process for internal building works at Manor Office was received and **noted**.

2026/052 CIVILITY AND RESPECT**2026/052.1 TO CONSIDER AND RESOLVE THAT INDIVIDUAL MEMBERS WILL SIGN THE CIVILITY AND RESPECT STATEMENT OF ASSURANCE**

Rather than take the civility and respect items in isolation, Cllr Huxtable advised that a revised code of conduct was being prepared in line with the latest Local Government Association approach. Consideration of the Civility and Respect items was deferred to the November meeting to allow a revised code of conduct package to be brought forward.

2026/052.2 TO RECEIVE THE REPORT REGARDING A CIVILITY AND RESPECT WEBPAGE AND TO APPROVE THE RECOMMENDATIONS THEREIN

This sub-item was not taken separately because the wider Civility and Respect item was deferred for consolidated consideration in November.

2026/053 TOWN CLOCK

Members received and considered the report on the Town Clock.

Cllr Downes advised that he and Jo Ward had inspected the clock and found it had been switched off, not suffered a mechanical failure. After power was restored, both motors operated correctly, clock faces moved normally, but the system was out of synchronisation with the two clock faces and displaying different times. He advised that resetting the clock is complicated because the difference between the internal control clock and the visible clock faces must be programmed manually. He had spoken to the makers of the clock (Smith of Derby), who advised they could reset the clock for £450.00 if no battery replacement was required or reset the clock and replace the battery for £650.00 if needed.

Concerns were raised regarding a separate quotation which included the need for a cherry picker, despite the battery being located inside the building and uncertainty over whether a replacement was necessary.

He highlighted that the service and maintenance records were found to be inconsistent. The Town Clerk advised that the council had also paid for a service in March 2026 and would seek the relevant records from council files or Time Assured. Members noted that, regardless of resolving the current timing issue, the question of ongoing maintenance remained outstanding.

Decision: It was **agreed** that Cllr Downes and Jo Ward would reset the Town Clock using the existing controls and report back on whether the clocks remain synchronised.

Task: Locate the March 2026 Time Assured service records for the Town Clock or request them from the contractor if they are not already held. @Rachel Avery

2026/054 GREATER RURAL EXETER AREA TOWN AND PARISH COUNCIL MEETINGS

Members considered the report on the Greater Rural Exeter Area Town and Parish Council group in the context of wider local government reorganisation. One councillor expressed concern that the arrangement risked adding yet another governance layer rather than simplifying accountability between town councils and the new upper-tier authority. Others took a more positive view, arguing that cooperation with comparable councils would strengthen representation, particularly on assets, planning and wider negotiations.

Cllr Huxtable had attended the first meeting on 12 August, stating that Exeter City Council had more experience of operating as a city authority than of working closely with towns and parishes, and suggested there was value in developing a united position, so individual councils were not dealt with in isolation.

The Town Clerk clarified that the report wording should refer to the Chair or Mayor attending, rather than the DALC representative.

Decision: It was **resolved** that the Chair/Mayor be appointed to attend future meetings of the Greater Rural Exeter Area Town and Parish Council Group, that regular updates from the group be reported back to Full Council and a page be added to the CTC website to provide information to residents on the group and its purpose. (Proposed by Cllr Backhouse)

2026/055 WARDING ARRANGEMENTS

Members noted the correspondence on warding arrangements for the shadow authorities ahead of the May 2027 elections. Members' understanding was that the current Boniface and Lawrence representation would remain at 2 members each on an interim basis, with any wider change more likely to arise through a later boundary review.

Cllr Fawssett highlighted concerns that the emerging structure would still allow dual hatted councillors, with members potentially serving both on the new Exeter authority and on CTC and said that clearer separation between local and upper-tier roles would have been preferable.

2026/056 ACTIVE TRAVEL MOTION

Cllr Fawssett introduced the motion and argued that councillors should model active travel whenever possible, because of its contribution to climate mitigation, public health and lower personal cost.

Some members accepted the broad principle, while at least one councillor said there was no need for a formal council stance on what adults should choose to do in their own circumstances.

Decision: It was **resolved** to **approve** the motion as tabled, establishing the expectation that councillors will walk, cycle or wheel to meetings whenever possible. (Proposed by Cllr Fawsett)

2026/057 **COMMUNITY BULLETIN**

Members considered the report, requesting support for the development of a new Crediton Community Bulletin in partnership with local organisations. Members broadly welcomed the idea, with particular support for greater collaboration across the town and for presenting more positive shared community information. Cllr Backhouse asked about the likely impact on already stretched staff time, and the Town Clerk advised that, whilst there would be development work, the expectation was that the time commitment would be broadly comparable with the current newsletter and could reduce burden over time if the wider project matured.

Members were told that the immediate plan was for a first printed edition to launch at the Christmas lights switch-on, with later editions potentially carried through the Crediton Courier or another route if more suitable. The Town Clerk also noted that Kirton Quarterly had already approached the council about possible page space.

Standing Orders suspended

Jane Williams from The Turning Tides Project said the proposal should be seen as a first step toward more joined-up working amongst around 60 local organisations, several of which already work together regularly. She argued that closer coordination would help shared understanding, funding conversations and a stronger sense of community-led rather than organisation-led activity.

Standing Orders were reinstated

Decision: It was **resolved** to **approve** the development and implementation of the Crediton Community Bulletin as a replacement for the existing newsletter was approved. (Proposed by Cllr Brookes-Hocking)

2026/058 **DATE OF NEXT MEETING**

Members were advised that the next meeting might need to move from Tuesday 3 November 2026 to Tuesday 17 November 2026. The date would be confirmed and published once agreed.

2026/059 **PART II**

Decision: It was **resolved** to **approve** the exclusion of the public and press from the meeting under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960. (Proposed by Cllr Huxtable)

2026/060 **OLD LANDSCORE SCHOOL**

Members considered and discussed the confidential report.

Decision: It was **resolved** that further advice would be obtained from Tozers. (Proposed by Cllr Huxtable)

APPENDIX

2026/061 REPORTS PACK

Signed

Dated.....



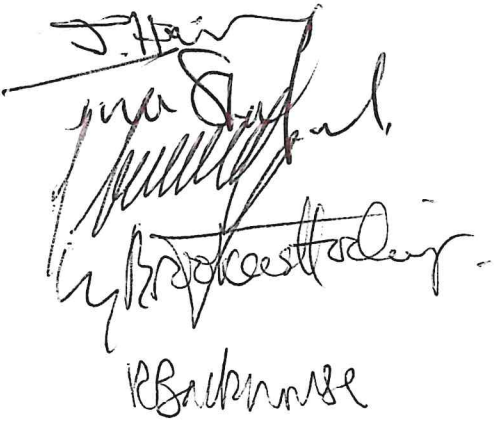
CREDITON TOWN COUNCIL

Manor Office
6 North Street
Credition
Devon
EX17 2BR

Telephone: 01363 773717
Email: reception@crediton.gov.uk

Motion Request Form

Motion requiring Written Notice to the Proper Officer – Standing Order 9

Meeting the motion is intended to be considered at (including date):	Full Council on 15 September 2026
Title of Motion:	To review, assess and adopt revised Scheme of Delegation, Standing Orders, Financial Regulations and Terms of Reference
Proposed by:	Steve Huxtable
Seconded by: (if applicable)	
Proposed Resolutions:	1. That the Full Council review, assess and adopt revised Scheme of Delegation, Standing Orders, Financial Regulations and Terms of Reference. 2. To create a Working Group to determine any possible amendments required that should also be adopted at a later date but no later than 18 November 2026.
Background: (provided by the proposer)	To ensure that the documents are consistent and appropriately cross-referenced" and that all are approved and adopted.
Financial implication(s): (provided by the proposer)	No additional external expenditure required – staff and councillor time would be needed.
Legal implication(s):	Required to ensure compliance and consistency.
Proposers signature:	
Additional signatures:	
Date of submission to the Proper Officer ^[1] :	1 September 2026



**CREDITON
TOWN COUNCIL**

STANDING ORDERS

First adopted: 18 October 2011

Last amended: 21 April 2026 (minute no. 2026/4522)

Review date: TBC

Preface

Throughout these standing orders, certain terms are used throughout. These terms and their definitions for the purposes of these Standing Orders are set out below.

The term Council shall mean Crediton Town Council unless otherwise indicated.

‘Chair’ and ‘Vice Chair’ refer to the offices of the Chair and Vice-Chair of Crediton Town Council unless otherwise indicated.

‘Member’ or ‘councillor’ refers, except where the content suggests otherwise, a person elected (whether their election is contested or not) and co-opted onto the council, or a person who is not a Member but who is a member of a committee or a sub-committee or is a member of, and represents the council on any joint committee or joint sub-committee of the council who in law is entitled to vote on any question which falls to be decided at a council, committee or sub-committee meeting.

‘Resolution’ is the legal term for a decision lawfully made by the majority of those present and voting at a council, committee or sub-committee meeting.

‘Financial Regulations’ are the standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the Responsible Financial Officer.

Some of the standing orders are mandatory because they reflect requirements of Acts of Parliament and subsequent regulations. For ease of reference, the orders or parts of orders concerned are printed in **bold type**.

The standing orders in bold type may not be amended unless the legislation out of which they are born changes.

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1. **RULES OF DEBATE AT MEETINGS**
 - a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the 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 their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder 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
 - 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 to have 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 their 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

- 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 their right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Chair of the meeting.

2. **DISORDERLY CONDUCT AT MEETINGS**

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

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 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.

- d 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. This will be directed by the Chair of the meeting.
- e The period of time public participation at a meeting in accordance with standing order 3(d) shall not exceed 15 minutes unless directed by the Chair of the meeting.
- f Any non-member of the council being a registered local government elector within Crediton as amended from time to time, or at the discretion of the Chair, may ask a question at a Full Council meeting about any matter relating to the powers and duties of the Council. The questioner must state without discussion the question and to whom it is addressed. A maximum period of 3 minutes will be permitted for any person wishing to ask up to three questions, make a statement or give evidence to the Council. Where two or more persons wish to make a similar statement, a spokesperson should be elected from the group to speak on behalf of all. Where differing views are represented, a maximum of 3 minutes will be permitted for each viewpoint to be heard:
 - i. no non-member shall be entitled to ask more than three questions at any one meeting of the Council;
 - ii. all questions shall be put and answered without discussion
 - iii. the person presiding at the meeting to which a question is made, may respond to the question in such a manner as they at their absolute discretion consider appropriate by giving an oral answer; or by agreeing to use their reasonable endeavours to arrange for a written answer to all questions within ten clear working days of the meeting; or by declining to provide an answer in which event the person presiding at the meeting shall also specify the reason for so declining which shall be minuted;
 - iv. should a question be provided to the Town Clerk in writing before noon on the day before the meeting, reasonable endeavours shall be made to provide a response at the meeting where the question is received.
- g Any non-member of the council being a registered local government elector within Crediton as amended from time to time, or at the discretion of the Chair, may ask a question at a Committee or Sub-Committee meeting about any matter relating to matters on the agenda only. The questioner must state without discussion the question and to whom it is addressed. A maximum period of 3 minutes will be permitted for any person wishing to ask up to three

questions, make a statement or give evidence to the Council. Where two or more persons wish to make a similar statement, a spokesperson should be elected from the group to speak on behalf of all. Where differing views are represented, a maximum of 3 minutes will be permitted for each viewpoint to be heard:

- i. no non-member shall be entitled to ask more than three questions at any one meeting of the council
- ii. all questions shall be put and answered without discussion
- iii. the person presiding at the meeting to which a question is made, may respond to the question in such a manner as they at their absolute discretion consider appropriate by giving an oral answer; or by agreeing to use their reasonable endeavours to arrange for a written answer to all questions within ten clear working days of the meeting; or by declining to provide an answer in which event the person presiding at the meeting shall also specify the reason for so declining which shall be minuted
- iv. should a question be provided to the Town Clerk in writing before noon on the day before the meeting, reasonable endeavours shall be made to provide a response at the meeting where the question is received.

h In accordance with standing order 3(d), 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. A written response will be provided to the member of public within 10 working days.

i A person shall raise their hand when requesting to speak, except when a person has a disability or is likely to suffer discomfort.

j In accordance with standing order 3(d) and (e), a member of the public shall not speak for more than 3 minutes, unless the Chair permits otherwise.

k A person who speaks at a meeting shall direct their comments to the Chair of the meeting.

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

- k 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.

- l A person present at a meeting may not provide an oral report or oral
● commentary about a meeting as it takes place without permission.
- m 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. 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 their absence be done by, to or before the Vice-Chair of the Council (if there is one).

- n **The Chair of the Council, if present, shall preside at a meeting. If the**
● **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.**

- o **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.**

- p **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 their**
● **casting vote whether or not they gave an original vote.**

See standing orders 5(i) and (j) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

- q **Unless standing orders provide otherwise, voting on a question shall**
● **be by a show of hands, or other intent to vote. 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 their vote**
● **for or against that question. Such a request shall be made before**
● **moving on to the next item of business on the agenda.**

- r **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, those who had
 submitted apologies and the names of councillors who were
 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
- vii. the resolutions made.

- s **A councillor or a non-councillor with voting rights who has a**
● **disclosable pecuniary interest or another interest as set out in the**

- Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.
- t No business may be transacted at a meeting unless at least one-third (four) of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.

See standing order 4d(vi) for the quorum of a committee or sub-committee meeting.

- u 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.
- v A meeting shall not exceed a period of 2 hours but may be extended by 30 minutes following a resolution of the Council or Committee.
- w Town, District, and County Councillors wishing to submit reports may give succinct verbal reports at the meeting, or must do so in writing to the Proper Officer at least three clear days before the meeting to enable the report to be included with the agenda publication, providing sufficient time for members of the Council to consider the reports' content and ask questions of the councillor at the meeting regards the content, if applicable.

4. COMMITTEES AND SUB-COMMITTEES

- 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. shall permit a committee to appoint its own Chair at the first meeting of the committee
 - vi. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three
 - vii. shall determine if the public may participate at a meeting of a committee
 - viii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee
 - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend
 - x. may dissolve a committee or a sub-committee.
- e All council members may attend all committee and sub-committee meetings of the council, excluding items discussed in Part II. They cannot vote, but may speak at the discretion of the Chair.

5. **ORDINARY COUNCIL MEETINGS**

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.
- e The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.
- f The Chair of the Council, unless they have resigned or becomes

disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.

- g The Vice-Chair of the Council, if there is one, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h The term of the Chair and Vice-Chair will last no more than two consecutive years.**
- i 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.**
- j 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.**
- k 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 may 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 Town Mayor of their acceptance of office form unless the Council resolves for this to be done at a later date**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council**
 - iii. Receipt of the minutes of the last meeting of a committee**
 - iv. Consideration of the recommendations made by a committee**
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities**
 - vi. Review of the terms of reference for committees**
 - vii. Appointment of members to existing committees**

- viii. Appointment of any new committees in accordance with standing order 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 the Council's policy for dealing with the press/media
- xix. Review of the Council's employment policies and procedures
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. **EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**
- a The 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 or refuses to 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**
- a A resolution (whether affirmative or negative) shall not be reversed within six months except by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9.
 - 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**
- 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.
9. **MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**
- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically

affects the Council's area or its residents. It shall not relate to any matter which may be considered under the Council's Code of Conduct, Complaints Procedure or employment policies.

- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 8 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 10 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**

- 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
- xvii. to close the meeting.

11. **MANAGEMENT OF INFORMATION**

See also standing order 20.

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

- d Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

12. **DRAFT MINUTES**

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

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the 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 their 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.**
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- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 21(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 The Council will endeavour to publish the minutes of a meeting within 7 working days after the meeting to which the minutes relate.

13. **CODE OF CONDUCT AND DISPENSATIONS**
See also standing order 3(s).
- 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.
 - e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
 - f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought
 - iv. an explanation as to why the dispensation is sought.
 - g A Councillor who wishes to be granted a dispensation as described above must complete a Crediton Town Council, Dispensation Request Form and forward a signed copy to the Proper Officer as soon as practicable before the meeting of the council, its Committees, sub-committees and working groups where the dispensation is requested. The request will then be considered at the meeting when opened by the Chair.
 - h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**

- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or
 - iii. it is otherwise appropriate to grant a dispensation.
- i. A copy of the councillors' request and the decision of the meeting where the request is heard shall be kept with the councillors' Register of Interests.

14. **CODE OF CONDUCT COMPLAINTS**

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.

15. **PROPER OFFICER**

- 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.
- 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
 - 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, committee or sub-committee.

Subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7

days before the meeting confirming their withdrawal of it:

- ii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office**
- iii. **facilitate inspection of the minute book by local government electors**
- iv. **receive and retain copies of byelaws made by other local authorities**
- v. hold acceptance of office forms from councillors
- vi. hold a copy of every councillor's register of interests
- vii. 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
- viii. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary
- ix. 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)
- x. arrange for legal deeds to be executed
(*see also standing order 24*)
- xi. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations
- xii. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose
- xiii. arrange for a planning application received by the Council to be referred to the Community Committee within 21 working days of receipt and to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next Community Committee meeting
- xiv. manage access to information about the Council via the publication scheme

- xv. 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 24*).

16. **RESPONSIBLE FINANCIAL OFFICER**

- a The Council shall appoint a member of staff to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. **ACCOUNTS AND ACCOUNTING STATEMENTS**

- a “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils - a Practitioners’ Guide”.
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - ii. the Council’s receipts and payments (or income and expenditure) for each quarter
 - iii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date
 - iv. the balances held at the end of the quarter being 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
 - 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**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls
 - ii. the assessment and management of financial risks faced by the Council
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments
 - v. whether contracts with an estimated value below **£30,000** 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. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- 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.**

19. **HANDLING STAFF MATTERS**

- a A matter personal to a member of staff that is being considered by a meeting of the HR 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 HR Committee, or in their absence, the Chair of Council, of absence occasioned by illness or other reason and that person shall report such absence to the HR Committee its next meeting.
- c The Chair of the Council and the Chair of the HR Committee shall conduct an annual appraisal of the work of the Town Clerk. A written record shall be kept securely in the council offices.
- 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 HR Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the HR Committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of Town Council staff relates to the Chair or Vice-Chair of the HR Committee, this shall be communicated to another member of the HR Committee which shall be reported back and progressed by resolution of the HR 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.

In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 20(f).

20. **RESPONSIBILITIES TO PROVIDE INFORMATION**

See also standing order 22.

- a In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- b. The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements)

(England) Regulations 2015.

21. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

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

22. **RELATIONS WITH THE PRESS/MEDIA**

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the council's policy in respect to dealing with the press, public and/or other media, councillors shall not, in their official capacity, provide oral or written statements, letters or written articles to the press, public or other media.

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

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.

24. **COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council.

25. **GENERAL POWER OF COMPETENCE**

- a Before exercising the general power of competence, a meeting of the full council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b The council's period of eligibility begins on the date that the resolution understanding order 25(a) above was made and expires on the day before the annual meeting of the council that takes place in a year of ordinary elections.
- c **After the expiry of its preceding period of eligibility, the council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the general power of competence which was not completed before the expiry of the council's preceding period of eligibility referred to in standing order 25(b).**

26. **UNDUE INFLUENCE ON COUNCILLORS**

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate. An employee of Crediton Town Council shall not canvass or solicit any councillor(s) in respect of their current employment with the Council for their benefit or gain.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the council or recommend a person or a current employee of Crediton Town Council for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the council with an application for appointment.

27. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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.
- iii. Incur any expenditure on behalf of the council or issue an instruction to incur any expenditure.

28. **CREDITON CLOSED CIRCUIT TELEVISION SYSTEM (CCTV)**

In accordance with CCTV protocols from time to time agreed by Crediton Town Council, members of Crediton Town Council undertake a declaration of confidentiality in respect of information and data to which they have access by virtue of their office as a town councillor and owner of the Crediton CCTV system, and will abide by all legislation on the operation and management of the system from time to time in force.

29. **GRANT OF CREDITON CITIZEN AWARD**

A decision to bestow such the Crediton Citizen Award is required to be made at a meeting of the Council. Additionally, at least two thirds of those present and voting must vote in favour of the proposal to confer the honour.

The rights attached to the award are not stipulated in legislation, therefore, for clarity, this Council will invite them to all civic events. A badge of honour will be presented to the individual.

30. **STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements (in **bold**), may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9. It will be carried if two-thirds of the councillors at a meeting of the council vote in favour.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.

- d A councillor's failure to observe standing orders more than three times in one meeting may result in them being excluded from the remainder of that meeting in accordance with standing orders.
- e The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.



CREDITON
TOWN COUNCIL

FINANCIAL REGULATIONS

First adopted: October 2011

Last amended: TBC

Review date: May 2027

CREDITON TOWN COUNCIL FINANCIAL REGULATIONS

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1. General

- 1.1. These Financial Regulations govern the financial management of the Crediton Town Council (CTC) and may only be amended or varied by resolution of full council. They are one of CTC's governing documents and shall be observed in conjunction with the adopted 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 CTC, 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 CTC cannot change.
 - 'Shall' refers to a non-statutory instruction by CTC to its members and staff.
- 1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by CTC. The Town Clerk has been appointed as RFO and these regulations apply accordingly. CTC has appointed the Town Clerk and where RFO is referred to, this indicates the Town Clerk. Both titles are referred to within this document. The RFO;
 - acts under the policy direction of CTC;
 - administers CTC's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of CTC 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 CTC resources; and
 - produces financial management information as required by CTC.
- 1.6. **CTC 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, CTC shall:

- Delegate responsibility of determining and regularly reviewing the bank mandate for all CTC bank accounts to the Oversight Committee;
- authorise any grant or single commitment in excess of £5,000.

2. Risk management and internal control

- 2.1. **CTC must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**
- 2.2. The Town Clerk shall prepare, for approval by the Oversight Committee, a risk management policy covering all activities of CTC. This policy and consequential risk management arrangements shall be reviewed by the Oversight Committee at least annually.
- 2.3. When considering any new activity, the Town Clerk/ shall prepare a draft risk assessment including risk management proposals for consideration by CTC.
- 2.4. **At least once a year, CTC 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**
 - **allow the reconstitution of any lost records**
 - **identify the duties of officers dealing with transactions**
 - **ensure division of responsibilities.**
- 2.6. At least quarterly, and at each financial year end, a member other than the Chair or a bank signatory shall be appointed to verify bank reconciliations (for all bank 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 Oversight Committee.

- 2.7. Regular back-up copies shall be made of the records on any CTC-owned computer and stored in the cloud. CTC shall put measures in place to ensure that the ability to access any CTC owned 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 CTC 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 CTC's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:**
- **day-to-day entries of all sums of money received and expended by CTC and the matters to which they relate;**
 - **a record of the assets and liabilities of CTC.**
- 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 CTC, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **CTC 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 CTC 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 CTC, supply the RFO, internal auditor, or external auditor with such information and explanation as considers necessary.
- 3.7. The internal auditor shall be appointed by CTC and shall carry out their work to evaluate the effectiveness of the adopted risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. CTC shall ensure that the internal auditor:
- is competent and independent of the financial operations of the council;
 - reports to CTC 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 CTC.

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

- perform any operational duties for CTC;
- initiate or approve accounting transactions;
- provide financial, legal or other advice including in relation to any future transactions; or
- direct the activities of any CTC 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, CTC 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 CTC at least annually the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Town Clerk and the Chair of the Oversight Committee. The Oversight Committee will be informed of any salary implications before they consider draft budgets.

4.3. No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all income and expenditure for the following financial year along with a forecast for the following four 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 CTC.

4.5. Each committee shall review its draft budget and submit any proposed amendments to the Oversight Committee not later than the end of November each year.

4.6. The draft budget with any committee proposals and four-year forecast, including any recommendations for the use or accumulation of reserves, shall be considered by the Oversight Committee and a recommendation made to CTC.

- 4.7. Having considered the proposed budget and four-year forecast, CTC shall determine its council tax requirement by setting a budget. CTC 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. The deadline is set by Mid Devon District Council.
- 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 Oversight Committee, or CTC whichever meeting date falls sooner.
- 4.12. Any addition to, or withdrawal from, general reserves shall be agreed by the Oversight Committee, or CTC whichever meeting date falls sooner.
- 4.13.

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 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 Procurement Act 2023 and The Procurement Regulations 2024 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, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £60,000 including VAT, 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 regarding the publication of invitations and notices.**

- 5.8. For contracts greater than £5,000 excluding VAT the RFO shall seek at least 3 fixed-price quotes;
- 5.9. where the value is between £500 and £5,000 excluding VAT, the 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, officers shall seek to achieve value for money.
- 5.11. **Contracts must not be split 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 Town Clerk, under delegated authority, for any items below £2000 excluding VAT.
 - the Town Clerk, in consultation with the Chair of the Council or Chair of the appropriate committee, for any items below £3,000 excluding VAT.
 - a duly delegated committee of the council for all items of expenditure within their delegated budgets for items under £10,000 excluding VAT.
 - in respect of grants, a duly authorised committee within any limits set by CTC and in accordance with any policy statement agreed by the council.
 - the council for all items over £10,000;
- Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.
- 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 CTC.
- 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 £2,000 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 Town 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 CTC or relevant committee 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 £1000 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. CTC's banking arrangements, including the bank mandate, shall be recommended by the RFO and authorised by the Oversight Committee;. CTC has resolved to bank with the Cooperative Bank for day-to-day banking. The arrangements shall be reviewed annually for security and efficiency.
- 6.2. CTC 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 CTC's bank account.
- 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 Town Clerk
- 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, or in extreme circumstances, by cheque, in accordance with a resolution of CTC, delegated committee or a delegated decision by the Town Clerk, unless CTC resolves to use a different payment method.
- 6.6. For information only - 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 Oversight Committee may authorise in advance for the year, will be provided in April each year. The schedule may not include payment amounts, which can be subject to change.

- 6.7. Regular payments shall be reported to the next appropriate meeting of the Oversight Committee for information only.
- 6.8. 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.
- 6.9. The Town Clerk shall have delegated authority to authorise payments only in line with the adopted Scheme of Delegation and Financial Regulation 5.15.
 - i. 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 Oversight Committee or CTC, where the Town Clerk/RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of the Oversight Committee or CTC.
 - ii. Fund transfers within CTC's 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 the Oversight Committee or CTC.
- 6.10. The RFO shall present a schedule of payments, forming part of the agenda for the meeting, of the Oversight Committee. The Oversight Committee shall review the schedule for compliance and, having satisfied itself, shall note payments. A detailed list of all payments made 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 Oversight Committee shall identify 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. An 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 CTC's Cooperative bank accounts online.
- 7.3. No employee or councillor shall disclose any PIN or password, relevant to CTC or its banking under any circumstances.
- 7.4. A list of payments for approval, together with copies of the relevant invoices, shall be sent by email to at least two authorised signatories for their approval to pay.
- 7.5. A member of staff shall then set up all items due for payment online.
- 7.6. Authorised users shall check the payment details against the invoices before releasing each payment using the online banking system.

- 7.7. Evidence shall be retained showing which users approved the payment online in the form of an online audit trail which will be saved on a CTC-owned computer.
- 7.8. A full list of all payments made in a month shall be provided to the next Oversight Committee meeting and included in the meeting pack.
- 7.9. With the approval of the Oversight Committee in each case, regular payments (such as gas, electricity, telephone, broadband, water, non-domestic rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed and approved online by two authorised signatories or approvers as appropriate. The approval of the use of each variable direct debit shall be reviewed by Oversight Committee at least every two years.
- 7.10. Payment may be made by BACS or CHAPS provided that each payment is approved online by two approvers and evidence is retained and any payments are reported to the Oversight Committee at their next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Oversight Committee or CTC at least every two years.
- 7.11. If thought appropriate by the Oversight Committee, regular payments of fixed sums may be made by standing order, provided that the instructions are signed by two authorised signatories, evidence of this is retained and any payments are reported to the Oversight Committee when made. The approval of the use of a standing order shall be reviewed by the Oversight Committee at least every two years.
- 7.12. Account details for suppliers may only be changed upon written notification by the supplier verified by two approvers. This is a potential area for fraud and the individuals involved should ensure that any change is genuine.
- 7.13. Members and officers shall ensure that any computer used for CTC'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 CTC banking.

8. Cheque payments

- 8.1. Cheques or orders for payment in accordance with a resolution or delegated decision shall be signed by two authorised signatories.
- 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 Oversight Committee} at the next convenient meeting.

8.5.

9. Payment cards

- 9.1. Any Debit Card issued for use will be specifically restricted to the Town Clerk and will also be restricted to a single transaction maximum value of £500 unless authorised by CTC or the Oversight 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 Oversight Committee. Transactions and purchases made will be reported to the Oversight Committee and authority for topping-up shall be at the discretion of the Oversight Committee.
- 9.3. Any corporate credit card or trade card account opened by CTC will be specifically restricted to use by the Town Clerk 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 except for expenses of up to £50 including VAT, incurred in accordance with CTC policy and budgets.

10. Petty Cash

- 10.1 Whilst CTC does not hold petty cash, Crediton Youth Service may receive cash from time to time.
 - a) No payments are made from cash held.
 - b) All cash is banked promptly and clearly defined for accounting purposes.Failure to comply with any aspect of section 10 (Petty Cash) may result in disciplinary action.

11. Payment of salaries and allowances

- 11.1. **As an employer, CTC must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 11.3. Salary rates shall be agreed by the Oversight Committee where required. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the Oversight Committee.
- 11.4. 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.
- 11.5. 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.
- 11.6. 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, with the total of such payments each calendar month reported in the

financial management system. Payroll reports will be reviewed by the Oversight Committee to ensure that the correct payments have been made.

11.7. Any termination payments shall be supported by a report to the Oversight Committee, setting out a clear business case. Termination payments shall only be authorised by CTC.

11.8. Before employing interim staff, the Oversight Committee must consider a full business case.

12. Loans and investments

12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by CTC and recorded in the minutes. All borrowing shall be in the name of CTC, after obtaining any necessary approval.

12.2. 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 CTC, following a written report on the value for money of the proposed transaction.

12.3. CTC shall approve 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 Oversight Committee annually.

12.4. All investment of money under the control of CTC shall be in the name of CTC.

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

12.6. 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.

13. Income

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

13.2. CTC 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 Town Clerk. The Town Clerk shall be responsible for the collection of all amounts due to CTC.

13.3. Any sums found to be irrecoverable, and any bad debts shall be reported to the Oversight Committee by the Town Clerk and shall be written off in the year. Any approval shall be shown in the accounting records.

13.4. All sums received on behalf of CTC shall be deposited intact with the Cooperative Bank, 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.

13.5. Personal cheques shall not be cashed out of money held on behalf of CTC.

13.6. 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.

13.7. Where any cash is received by CTC other than in accordance with Section 10 (Petty Cash), 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.

14. Payments under contracts for building or other construction works

14.1. 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.

14.2. Any variation of addition to or omission from a contract must be authorised by the Town Clerk to the contractor in writing, with CTC being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

15. Stores and equipment

15.1. The Town Clerk shall be responsible for the care and custody of stores and equipment.

15.2. 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.

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

15.4. The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

16. Assets, properties and estates

16.1. The Town Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

16.2. 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 CTC, 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.

The continued existence of tangible assets shown in the above Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets and reported to the relevant committee

16.4 No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of CTC, together with any other consents required by law. In each case a written report shall be provided to CTC 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).

- 16.3.16.5 No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of CTC, 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 CTC with a full business case.

17. Insurance

- 17.1. The RFO shall keep a record of all insurances effected by CTC and the property and risks covered, reviewing these annually before the renewal date in conjunction with CTC's review of risk management.
- 17.2. The Town 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.
- 17.3. 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.
- 17.4. All appropriate members and salaried officers of CTC shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by CTC, or the Oversight Committee.

18. Suspension and revision of Financial Regulations

- 18.1. CTC shall review these Financial Regulations annually and following any staffing change. The Town Clerk shall monitor changes in legislation or proper practices and advise CTC or Oversight Committee of any need to amend these Financial Regulations.
- 18.2. CTC or the Oversight Committee may, by resolution duly notified prior to the relevant meeting of CTC or Oversight Committee as appropriate, 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 CTC to act unlawfully.
- 18.3. CTC or the Oversight Committee 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 Town 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 Town Clerk in the ordinary course of post unless an electronic tendering process has been agreed by CTC.
- 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 Town Clerk in the presence of at least one member of CTC.
- 4) Where an electronic tendering process is used, CTC 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 19 and shall refer to the terms of the Bribery Act 2010.
- 6) Where CTC, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and CTC 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.



Credition Town Council – Terms of Reference

Community Committee

- The committee will comprise 7 members.
- The Mayor of the Council is an ex-officio member and has full speaking rights and is entitled to vote
- The committee will comprise 2 substitute members.
- The quorum of the committee shall be 3 members.
- The committee shall meet every six weeks.
- The committee will undertake the following role and functions:
 - To consider and comment on strategic development policies and consultations documents received from other bodies which affect Credition
 - To facilitate greater member focus on town policy development to positively shape the future of Credition
 - Preparation of the Credition Neighbourhood Plan and any subsequent amendments
 - To comment on planning applications referred to the council for comment on behalf of the council, as per the Planning Applications Policy
 - To identify and facilitate positive change within the town by working with key stakeholders, local organisation/groups and the whole community
 - Liaise with other bodies regarding highways and traffic management, public lighting, public toilets and public transport
 - To manage general matters affecting the towns heritage, historic environment, and art related activities
 - To manage all matters relating to Allotments
 - To manage all matters relating to [CUT!]
 - To consider the recommendations of sub-committees or working (advisory) groups under the control of the committee
 - Authorisation of committee related expenditure within the budget provided that payment is made within the limit previously approved by council. The committee cannot commit or spend from future budgets not confirmed or from future years delegated authority to Town Clerk in line with Scheme of Delegation and Financial Regulations
- The Community Committee shall also be responsible for any matter not specifically assigned within these Terms of Reference where responsibility is delegated to the Committee by the Council's Standing Orders, Financial Regulations, Scheme of Delegation, or any resolution of the Council.

Oversight Committee

- The committee will comprise 7 members.
- The Mayor of the Council is an ex-officio member and has full speaking rights and is entitled to vote.
- The committee will comprise 2 substitute members.

- The quorum of the committee shall be 3 members.
- The committee shall meet every six weeks.
- The committee will undertake the following role and functions:
 - To consider the Responsible Finance Officer's reports on annual estimates of income and expenditure (budget) for continuing services and payments of capital expenditure for the next three financial years; and to make recommendations to Full Council on the budget and precept in time for the Full Council meeting to be held in December/January each year
 - To consider forward planning and provide recommendations to Full Council for earmarked reserves levels which may include the replacement of equipment, vehicles, buildings and/or specific items of expenditure required in the future in order to lessen the precept burden in any one year
 - To ensure Full Council hold adequate general reserves, in line with best practice, to secure future budgets
 - To be responsible for any addition to, or withdrawal from, any earmarked reserve, dependent on meeting dates of Full Council
 - To be responsible for any addition to, or withdrawal from, general reserves, dependent on meeting dates of Full Council
 - To approve salary rates for staff, as recommended by the HR Committee
 - To appoint a panel to carry out quarterly internal control checks in line with best practice, legislation and council's duty
 - To take responsibility for the council's banking requirements, including administration of accounts
 - To undertake an annual risk assessment regarding the council's accounting procedure
 - Make recommendations to the council on new areas of policy and procedures
 - To manage, review and amend and adopt as necessary the council's policies, procedures and protocols
 - To recommend changes to the council's Standing Orders, Financial Regulations, Scheme of Delegation and Terms of Reference
 - Oversee the council's insurance arrangements
 - Oversee any legal proceedings
 - Overseeing electoral matters
 - Managing the council's publicity and public relations
 - Managing the council's risk management practices and procedures
 - Oversee civic events
 - Overseeing council's involvement in any Twinning or overseas arrangements
 - To scrutinise, when required, council activities and decisions
 - To consider the recommendations of sub-committees or working (advisory) groups under the control of the Oversight Committee
 - Authorisation of committee related expenditure within the budget provided that payment is made within the limit previously approved by council. The committee cannot commit or spend from future budgets not confirmed or from future years¹

¹ Delegated authority to Town Clerk in line with Scheme of Delegation and Financial Regulations

- The Oversight Committee shall also be responsible for any matter not specifically assigned within these Terms of Reference where responsibility is delegated to the Committee by the Council's Standing Orders, Financial Regulations, Scheme of Delegation, or any resolution of the Council.



HR Committee

- The committee will comprise 5 members.
- The Mayor of the Council is an ex-officio member and has full speaking rights and is entitled to vote
- The committee will comprise 2 substitute members.
- The quorum of the committee shall be 3 members.
- The committee shall meet quarterly.
- The committee will undertake the following role and functions:
 - To take responsibility for general staffing matters (e.g. health and safety matters, implementing policies etc.)
 - To handle recruitment matters, including making recommendations to Full Council
 - To recommend salary rates, for approval by the Oversight Committee
 - To consider all matters concerning the council's employees including to issue, vary and terminate employment contracts The committee shall be empowered to take decisions and such action as is seen fit to deal with any unforeseen personnel matters which may arise from time to time, in relation to staff matters
 - To undertake the line management responsibility of the Town Clerk as the most senior officer of the council
 - To carry out the Town Clerk's appraisals
 - To handle any informal or formal grievance and initiating any informal or formal disciplinary action in the first instance
 - To oversee the training requirements of council staff and councillors
 - The HR Committee shall also be responsible for any matter not specifically assigned within these Terms of Reference where responsibility is delegated to the Committee by the Council's Standing Orders, Financial Regulations, Scheme of Delegation, or any resolution of the Council.



Grants Sub-Committee

- The sub-committee will comprise 5 members.
- The quorum of the sub-committee shall be 3 members.
- The sub-committee shall meet 3-4 times per year.
- The sub-committee will report directly to the Oversight Committee and will undertake the following role and functions:
 - To review the council's Grants Policy and make recommendations for any amendments to the Oversight Committee

- To consider grant applications and make recommendations to the Oversight Committee, in accordance with policy.

Youth Delivery Sub-Committee

- The sub-committee will comprise 5 members and will be attended by the Town Clerk and/or the Lead Youth Worker
- The quorum of the sub-committee shall be 3 members.
- The sub-committee will report directly to the Oversight Committee or HR Committee and will undertake the following role and functions:
 - To review and recommend the aims and objectives of the youth service
 - To agree and recommend a set of 'values' for the youth service
 - To review the service delivery
 - To review and approve strategic documents relating to the service delivery
 - To consider long term aspirations
 - To investigate other operating models, such as a Community Interest Company.

Appeals Committee

- The committee will meet as required, to consider appeals.
- The committee membership will be approved as required.
- The committee will comprise 3 members.
- The quorum of the committee shall be 3 members.
- Any member who has previously been involved in the Procedure prior to the matter may not sit on the Appeal Committee.
- The committee will undertake the following role and functions:
 - To hold appeal hearings under the Disciplinary, Grievance, Competence, Redundancy and Redeployment Policies
 - To determine whether any appeal made by a member of staff under any of the Council's personnel policies are valid
 - To determine any appeals under the Council's Complaints Procedure which is delegated to it
 - To approve redress of up to £500.00.

Emergency Committee

- The committee will comprise 4 members.
- The quorum of the committee shall be 2 members.
- The committee shall undertake the following roles and functions:
 - This committee will only meet in times of sudden local or national disaster or emergency, and then shall act with the full powers of the council.



Scheme of Delegation

1. Principles of Delegation

- 1.1 Section 101 of the Local Government Act 1972 provides:
- that a council may delegate its powers (except those incapable of delegation) to a committee or an officer
 - a committee may delegate its powers to an officer
 - the delegating body may exercise Powers that have been delegated.
- 1.2 Any delegation to a Committee or the Proper Officer¹ shall be exercised in compliance with the Council's Standing Orders, any other policies or conditions imposed by the Council and within the law.
- 1.3 The Proper Officer may nominate another named Officer to carry out any powers and duties, which have been, delegated to that Officer.
- 1.4 Where officers are contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Members, and must ensure that they obtain appropriate legal, financial, and other specialist advice before action is taken.

2. Council Functions

- 2.1 The matters listed below are the responsibility of Full Council:
- a) Adopting and changing the council's Standing Orders, Financial Regulations and Powers and Duties of Committees
 - b) Approving the council's budget and the level of its precept levied on Mid Devon District Council
 - c) Authorising borrowings
 - d) Authorising the incurring of expenditure not provided for within the approved Budget or otherwise permitted under the council's Financial Regulations, unless an Oversight Committee meeting is planned prior to the date of the next Full Council meeting
 - e) Appointing council representatives to outside bodies
 - f) Confirming the appointment of the Town Clerk
 - g) Making, amending, revoking, re-enacting, or adopting byelaws and promoting or opposing the making of local legislation

¹ Wherever the Proper Officer (the clerk) is referred to in this document it shall be understood that the Deputy Clerk can deputise for the Clerk both in the absence of the Proper Officer (the Town Clerk) and to enable the efficient and effective running of the council.

(h) All other matters which must, by law, be reserved to the full council.

Audit	Responsibility for maintaining a continuous internal audit system	Full Council
	Receiving and considering reports on internal audit and monitoring the implementation of approved action plans	Full Council
	Receiving and considering reports of the Council's Internal and External Auditors and monitoring the implementation of approved action plans	Full Council
Budgetary Control	Recommending the annual Budget and resolutions for level of precept	Full Council
	Managing budgetary control matters including the allocation of financial resources and virement of revenue expenditure other than within the approved budget of a committee (see para 2.1)	Full Council
Byelaws and local legislation	Recommending the making or adoption of byelaws	Full Council
	Recommending the sponsoring of local legislation	Full Council
	Enforcing byelaws including instituting legal proceedings	Full Council
Capital Expenditure	Recommending capital works and resourcing their implementation	Full Council
Car Parking	Commenting on all matters relating to the management of public car parks in the town	Full Council
Cemeteries	Commenting on all matters relating to the management of burial functions and responsibilities	Full Council
Legal Proceedings	To engage legal advisors and barristers as required	Full Council
	To institute, defend or settle any judicial or quasi-judicial proceedings	Full Council
Street Naming	To name new streets	Full Council

3. Delegation to Committees

- 3.1 The matters listed below are the responsibility of Full Council, or otherwise delegated to the council's committees, sub-committees, or working groups. They must be exercised in accordance with the law, the council's Standing Orders and Financial Regulations and approved policy framework.
- 3.2 Standing Committees shall be responsible for any matter not specifically assigned within their Terms of Reference, where responsibility is delegated by the Council's Standing Orders, Financial Regulations or by resolution of the Council.
- 3.2 Where a sub-committee or working group in lieu of exercising its delegation refers a matter to its parent committee the delegation is exercisable by Full Council. Nevertheless, the committee may decide not to exercise this delegated power and may instead make a recommendation to the council.

Service Area	Function	Committee
Agency Agreements	Recommending agency agreements and joint working practices	Full Council
Allotments	See Land Management	
Arts	Managing the Council's arts-related activities including direct promotions and liaison with other providers	Community Committee
Budgetary Control	Managing budgetary control matters within the approved budget of a committee (see para 2.1)	Oversight Committee
Civic Events	Organising Civic Events	Oversight Committee
Committee and Member Support	Recommending the annual calendar of meetings	Oversight Committee
	Managing all committee and member functions	Full Council
Community Support	Managing community support activities including provision and maintenance of facilities, liaison with other bodies and cultural support	Community Committee
Complaints	Monitoring the complaints procedure	Oversight Committee
Constitution	See Committee and Member Support	
Conservation	Commenting on proposals for the creation or modification of conservation areas	Community Committee
Culture	See Arts	

Development Control	Commenting on planning applications referred to the Council for comment	Community Committee
Electoral Matters	Initiating requests for boundary reviews and commenting during such reviews	Full Council Oversight Committee
Entertainments	See Arts	
Environment	See Heritage	
Events	Community events coordination and facilitation	Community Committee
External Consultation and Representation	Commenting on consultation documents from other bodies	Full Council Community Committee Oversight Committee
Financial Matters	Managing the Council's financial affairs	Oversight Committee
Grants	Award of general revenue grants to local organisations and groups	Oversight Committee Grants Sub-Committee
	Award of cultural activities grants	Oversight Committee Grants Sub-Committee
Heritage	Dealing with general matters affecting the historic environment and heritage of Crediton Town	Community Committee
Highways	Commenting on proposals for highways maintenance and repairs and associated matters	Community Committee
	Commenting on highway policies	Community Committee
Insurance	Arranging and maintaining insurance cover in respect of the Council's assets and activities against a wide range of risks Overseeing the council's insurance arrangements, and making recommendations where appropriate	Full Council Oversight Committee
Land Management	Managing and maintaining Council's Buildings	Community Committee
	Maintaining the Council's various areas of amenity land, play areas, recreation grounds, allotments and	Community Committee

	open spaces including setting hire charges	
Planning Policy	Commenting on proposed revisions of the Mid Devon District Local Plan and other service-specific long-term planning documents	Community Committee
Play Areas	See Land Management	
Policy Issues	Reviewing and approving Town Council policies	Oversight Committee
	Development of new policies or changes in policy	Oversight Committee
	Commenting on strategic policy documents and consultation papers issued by the Government and other bodies	Full Council Community Committee Oversight Committee
Public Lighting	Commenting on matters affecting public lighting provision or maintenance in the town	Community Committee
Public Toilets	Commenting on matters affecting public toilet provision in the town	Community Committee
Public Transport	Making observations on matters affecting public transport in and around the town	Community Committee
Public Footpaths	Making observations on matters affecting public footpaths in and around the town Maintaining public footpaths as part of the P3 (Devon County Council) scheme	Community Committee
Rights of Way	See Public Footpaths	
Risk Management	Managing the Council's risk management practices and procedures	Oversight Committee
Sports Grounds	See Land Management	
Staffing	Recommending changes to the Council's approved staffing establishment	HR Committee
	Reviewing and monitoring the Council's employment arrangements	HR Committee
Standing Orders	See Committee and Member Support	
Street Lighting	See Public Lighting	

Town Clerk and Proper Officer	Recommending the appointment of the Town Clerk and Proper Officer	HR Committee
Traffic Issues	Making observations on matters affecting traffic management proposals in and around the town	Community Committee
Trees	Managing tree planting schemes	Community Committee
	Making observations on proposals to introduce new tree preservation orders or allow works to trees covered by existing tree preservation orders or within conservation areas	Community Committee
Twinning	Making arrangements for twinning visits and activities including liaison with twinning societies	Oversight Committee

Any new delegated authority to officers will be added to section 4

4. Scheme of Delegation to Officers

- 4.1 The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095), which came into force on 6 August 2014, require a written record to be kept of certain decisions made by an officer of a parish council acting under delegated powers. The decisions are those:
- made under a 'specific express authorisation'
 - made under a general authorisation where the effect of the decision is to; i) grant a permission or licence, ii) affect the rights of an individual
 - award a contract or incur expenditure which, in either case, significantly affects the financial position of the Town Council.
- 4.2 The following table, whilst not comprehensive, seeks to clarify responsibility in respect of at least some of these matters. Needless to say, the delegations are subject to them being implemented in accordance with the law, the Council's Standing Orders and Financial Regulations, within the accepted policy framework and where budgetary provision exists or is otherwise authorised in accordance with Financial Regulations.

Service Area	Function	Officer
Audit	To maintain a continuous internal audit	Town Clerk
Communications	To deal with all press and public relations on behalf of the Council	Town Clerk
Documents	To sign documents on behalf of the	Town Clerk

	Council	
Elections	To notify the Returning Officer of all casual vacancies arising in the membership of the Council as required by statute and to liaise with him or her regarding the conduct of elections	Town Clerk
Emergency Planning	To lead the Council's response in the case of a major emergency in consultation with and/or under the direction of the Emergency Planning Officers at Mid Devon District Council	Town Clerk
Events	Co-ordinating and facilitating Christmas in Crediton Events	Town Clerk
Finance	To administer the Council's bank balances	Town Clerk
	To maintain adequate insurance cover for the Council's activities and property	Town Clerk
	To act as Responsible Financial Officer for the purposes of the Accounts and Audit Regulations in place at the time	Town Clerk
	To authorise the payment of accounts	Town Clerk
	To write-off outstanding debts in accordance with Financial Regulations	Town Clerk
	Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget	Town Clerk
Floral Displays	To co-ordinate the provision of floral displays within Crediton	Town Clerk
Freedom of Information	To have overall responsibility for the Council's Freedom of Information Publication Scheme	Town Clerk
Information and Communication Technology	To be responsible for the provision and management of information and communication technology provided throughout the Council including the replacement of out-dated equipment or the purchase of new equipment within the approved Budget	Town Clerk
Land and Property	To purchase necessary goods and Supplies	Town Clerk

	To maintain the Council's offices and Property Managing, maintaining, and monitoring demand and availability of allotment gardens	Town Clerk Town Clerk
	To deal with day to day matters in relation to the allotments functions, including the implementation of allotment terms, conditions and rules, allocation of allotment tenancies, issuing of non-cultivation notices and notices to quit.	Town Clerk
	To adjust grass cutting frequencies in relation to the maintenance of the various open areas for which the Council is responsible	Town Clerk
	To devise planting schemes for the various open areas for which the Council is responsible	Town Clerk
	To ensure that trees for which the Council is responsible are maintained in a safe condition in accordance with good arboricultural practice	Town Clerk
Lettings	To authorise casual lettings of the Council's various properties subject to payment in accordance with the approved scale of charges where appropriate	Town Clerk
Meetings	Arrange and call meetings of the Council, its Committees and Sub-Committees	Town Clerk
	Carry out and implement any Council, Committee or Sub-Committee decision	Town Clerk
Members Support	To deal with requests from Members	Town Clerk
Motor Vehicles and Plant	To maintain, repair and renew the Council's motor vehicles, plant and equipment	Town Clerk
Proper Officer	To act as Proper Officer for the purposes set out in Standing Order 15 and for all other purposes prescribed by law	Town Clerk

Publicity	Managing the Council's public relations activities and the content and circulation of the bi-monthly newsletter	Town Clerk
Staffing	Management of all employees, including the authority to take disciplinary action, excluding termination of employment under agreed procedures	Town Clerk
	To implement national pay awards and conditions of service	Town Clerk
	Within the approved budget and in accordance with Standing Orders to administer the staffing establishment and the national agreement on pay and conditions of service	Town Clerk
	To engage temporary or seasonal workers and determine their wages and conditions of service	Town Clerk

5. Urgent Matters

5.1 Matters of urgency, as determined by the Proper Officer (or in his/her absence another Officer) shall be delegated to the relevant officer in consultation with the Chair and Vice-Chair of the appropriate committee subject to a report being made to the next meeting of the appropriate committee.

5.2 Subject to urgent items, the following matters shall be referred to the relevant committee or council, where appropriate.

Any matter which:

- (a) requires a new policy; or
- (b) requires an alteration to an existing policy (other than a minor amendment); or
- (c) would be contrary to the policy framework; or
- (d) involves expenditure or a reduction in income, for which there is no sufficient budgetary provision;
- (e) is an issue of principle as determined by the council; or
- (f) in the opinion of the Proper Officer, cannot in law or in accordance with the standing orders be decided by an Officer; or
- (g) upon which a committee has requested a report; or
- (h) a member has requested an item to be put on an agenda under Standing Orders; or

- (i) in the opinion of the officer concerned, should be determined by a committee.



CREDITON TOWN COUNCIL

Approval of Decisions Made Under Incorrectly Approved Scheme of Delegation Report

Report by: Town Clerk
To: Full Council
Date: For consideration on 15 September 2026

Recommendation

That Full Council considers and approves the contents of the below report, relating to decisions made under the incorrectly approved Scheme of Delegation.

1. Purpose

- 1.1 The purpose of this report is to seek Full Council approval and ratification of decisions made by committees from May 2026.
- 1.2 Following a review of governance documents after a complaint was made by a member of the public (email thread has been provided to all councillors prior to the meeting), it has been identified that the Scheme of Delegation was incorrectly approved by the Oversight Committee on 12 May 2026 rather than by Full Council.
- 1.3 As the adoption and amendment of the Scheme of Delegation is a matter reserved to Full Council, there is a risk that decisions subsequently taken under delegated authority may not have been authorised through a properly constituted delegation framework.
- 1.4 To ensure absolute legal and procedural certainty, it is recommended that Full Council retrospectively approves and ratifies the decisions listed within this report, confirming Full Council's agreement with the decisions previously made and remove any doubt regarding their validity.

2. Background

- 2.1 CTC's Terms of Reference provide that the Scheme of Delegation must be approved by Full Council, following recommended changes by the Oversight Committee.
- 2.2 It has subsequently been identified that amendments to the Scheme of Delegation were approved by the Oversight Committee on 12 May 2026 rather than being referred to Full Council for approval.
- 2.3 Whilst the decisions detailed below were taken in good faith and in accordance with the Council's operational arrangements at the time, Full Council is requested to formally approve and ratify them to ensure they are beyond procedural challenge.

3. Recommendations

- 3.1 Full Council is requested to note that the Scheme of Delegation approved on 12 May 2026 was approved by the Oversight Committee rather than Full Council, following a governance administration error by the Town Clerk.
- 3.2 Full Council is requested to approve and ratify the following decisions:

Oversight Committee – 12 May 2026 (item 13)

Sale of Locomotive Nameplate

The Oversight Committee considered a request from a member of the public to purchase the locomotive nameplate and the ongoing importance of the asset as part of Crediton's heritage.

The Committee resolved:

To retain the locomotive nameplate and thank the interested party for their offer.

To obtain a quotation for the valuation of the locomotive nameplate.

Full Council is requested to approve and ratify these decisions.

Oversight Committee - 23 June 2026 (item 24)

Branded Gazebo Purchase

The Oversight Committee considered a report concerning the purchase of a branded gazebo to improve the CTC's visibility at community events.

The Committee resolved:

To delegate authority to the Town Clerk to complete the purchase of a branded gazebo, following the pursuit of the remaining quotations, up to a maximum value of £1,215.00 including VAT.

That the expenditure be funded from General Reserves.

The delegated authority has subsequently been exercised and the gazebo purchased.

Full Council is requested to approve and ratify this decision and confirm the associated expenditure from General Reserves.

Oversight Committee – 28 July 2026 (item 34)

Meeting Room Charges Budget

The Oversight Committee considered anticipated expenditure relating to library and Bookery meeting room hire charges.

The Committee resolved:

To increase the Meeting Room Charges budget by £1,500.00.

That the increase be funded from General Reserves.

Full Council is requested to approve and ratify this decision and the associated budget amendment.

Community and Environment Committee – 28 July 2026 (item 49)

Allotment Rent Review

The Community Committee considered the annual review of allotment rents for 2026/27.

The Committee resolved:

To increase allotment rents for 2026/27 by 5%, increasing the charge from 30p per square metre to 31.5p per square metre.

Full Council is requested to approve and ratify this decision.

4. Financial Implications

4.1 The financial implications associated with the decisions are:

Decision	Financial Implications
Locomotive Nameplate	Loss of funds generated by unapproved sale Cost of valuation – yet to be obtained
Branded Gazebo	Total cost £981.50 + VAT
Meeting Room charges budget increase	£1,500.00 funded from General Reserves
Allotment rent increase	Increased income from allotment rents

5. Legal/Governance Implications

- 5.1 The decisions tabled were taken by committees operating under a Scheme of Delegation that was not approved through the correct route.
- 5.2 Although the decisions were made in good faith, approval and ratification by Full Council will provide procedural certainty.
- 5.3 Approval and ratification is considered the most proportionate and pragmatic approach, particularly where decisions have already been implemented or relied upon.

6. Conclusion

- 6.1 By approving the contents of this report, CTC can be satisfied that all decisions made by committees where no duly delegated authority was provided, have been approved by Full Council.