



**Town Clerk**

Les Trigg

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15 Station Road  
STONE  
ST15 8JP

28 September 2021

Dear Councillor,

A meeting of the **GENERAL PURPOSES COMMITTEE** will be held in the **Council Chamber at 15 Station Road, Stone**, on **TUESDAY 5 OCTOBER 2021 at 7:05pm** or on the rising of the Council Meeting, if later.

The agenda is set out below and I trust you will be able to attend.

Attendees are asked to wear face masks other than when taking part in the meeting.

Les Trigg  
Town Clerk

**AGENDA**

1. **To receive apologies for absence**
2. **Declarations of Interest**
3. **Requests for Dispensations Received**
4. **To receive a report from County Councillors representing Stone Town**
  - County Councillor Mrs J. Hood
  - County Councillor I. Parry
5. **To receive a report from Borough Councillors representing Stone Town**
6. **Representations from Members of the Public**

To consider representations from members of the public on items to be considered at this meeting, in accordance with the Council's scheme of public participation.

**7. Minutes of Previous Meetings**

- a) To confirm as a correct record the minutes of the meeting of the General Purposes Committee held on 7 September 2021, Minute No's GP22/056 – GP22/078 (attached).

**8. Minutes of Sub-Committees**

- a) Tourism & Town Promotion Sub-Committee held on 31 August 2021, Minute Numbers TTP22/008 – TTP22/017 (attached)
  - i. To consider the draft minutes
  - ii. To consider the Recommendations contained in Minute Number TTP22/012, TTP22/013, TTP22/015 and TTP22/016
- b) Environmental Sub-Committee held on 31 August 2021, Minute Numbers ENV22/007 – ENV22/013 (attached)
  - i. To consider the draft minutes
  - iii. To consider the Recommendations contained in Minute Number ENV22/011

**9. To consider the following requests for grants from local organisations:**

- **1<sup>st</sup> Stone Scout Group**
- **Douglas Macmillan Hospice**

**10. Review of Standing Orders**

To consider the report of the Town Clerk (attached to the electronic version of the agenda) which was originally circulated to the previous meeting of this Committee.

**11. Review of Financial Regulations**

To consider the report of the Town Clerk (attached to the electronic version of the agenda) which was originally circulated to the previous meeting of this Committee.

**12. Code of Conduct**

To consider the revised Code of Conduct which is based on the updated Local Government Association Model.

The revised Code of Conduct is attached to the electronic version of the agenda.

**13. Drinking Water Machines**

To consider the provision of cold water drinks dispensers at the Town Council's office and community centres.

**14. Gambling Act 2005 – Draft Statement of Principles 2022 to 2025**

To consider a Stafford Borough Council consultation seeking views on the statement of the principles it proposes to apply when exercising its functions under the Gambling Act 2005.

An email from the Licensing Manager at Stafford Borough Council is attached. The Gambling Act 2005 Draft Statement of Principles 2022 – 2025 is attached to the electronic version of the agenda.

**15. Nominations for SPCA Executive and AGM arrangements**

To consider nominations for election of representatives to the SPCA Executive at the Association's AGM on the evening of 6<sup>th</sup> December 2021. Nominations should reach the SPCA office by no later than Friday, 15 October. A copy of the nomination form is attached.

Member Councils are also invited to put forward motions for debate at the AGM which is envisaged will be held using Zoom. If it is felt appropriate nearer the time to hold a face-to-face meeting, further details will be advised in due course. The related proposal form is attached.

The calling papers for the 81<sup>st</sup> AGM, together with copies of the Association's Annual Report, will be made available in due course.

**16. Members' Motion under Standing Order 4**

**Councillor Mrs Kerry Dawson**

*"I've been looking into ways we can get young people more involved in the Council and the things that we do. As part of this research, I have identified a potential role for a number of "Student Advisors" who would support the Council at appropriate meetings by providing advice from the perspective of younger people.*

*I would ask the Council for its support for me to work with the Town Clerk and local schools to put together a proposal which can be considered by this Committee and, if supported, implemented at the Annual Meeting in May 2022."*

**17. Members' Motions under Standing Order 4**

**Councillor Steve Walley**

*"I would like to commence holding surgeries as a Town Councillor, for the residents of Stonefield and Christchurch Ward.*

*An ideal location would be the Frank Jordan Centre, and would propose that the Committee agree to use of the Centre free of charge for this purpose."*

**18. Town Council Payments**

To receive a list of payments made by the Council during the period 1<sup>st</sup> to 31 August 2021 (attached).

**19. Update from Working Groups:**

- a) Neighbourhood Plan Steering Group
- b) Stone Area Parish Liaison Group
- c) Stone Heritage Centre Steering Committee

**20. To receive reports from Town Councillors on attendance at meetings of local organisations and outside bodies as a representative of the Town Council**

Stone ATC – Town Mayor & J. Davies

Age Concern Stone & District – Cllrs J. Davies and C. Thornicroft

Stafford & Stone Access Group – Cllr T. Kelt

Stone Common Plot Trustees – Cllrs: Mrs L. Davies, Mrs J. Hood, T. Kelt and R. Kenney

Stone Community Hub Liaison Group – Cllrs: Mrs L. Davies, Mrs J. Hood & J. Powell

SPCA Executive Committee – Cllr M. Green

**21. Exclusion of the Press and Public**

**To resolve, pursuant to the Public Bodies (Admission to Meetings) Act 1960, that the Public and Press be excluded from the meeting whilst the next items of business are discussed on the grounds that publicity would be prejudicial to public interest by reason of the confidential nature of the debate.**

**22. To consider a proposal from the Stone Traders Association to hold a Christmas Market in the High Street**

Members of the public are welcome to attend the General Purposes Committee meeting as observers and/or to make representations to the committee in accordance with the Council's scheme of public participation. Details of the scheme are displayed in the Council's notice boards and website.



# Stone Town Council – General Purposes Committee

## Minutes of the meeting held in St Michael's Suite at the Frank Jordan Centre, Lichfield Street, Stone, on Tuesday 7 September 2021

**PRESENT:** Councillor R. Kenney in the Chair, and  
Councillors: K. Argyle, A. Best, Mrs A. Burgess J. Davies, Mrs L. Davies, J. Hickling,  
Mrs J. Hood, T. Kelt, P. Leason, J. Powell, C. Thornicroft and S. Walley

**ABSENT:** Councillors:, Mrs K. Dawson, I. Fordham, M. Green, M. Hatton and R. Townsend

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**GP22/056     Apologies**

Apologies were received from Councillors: Mrs K. Dawson, I. Fordham, M. Green and R. Townsend.

**GP22/057     Declarations of Interests**

Councillor A. Best declared a personal interest in agenda item 9 (Minute Number GP22/064) – Grant aid to local organisations: Christ Church School.

**GP22/058     Requests for Dispensations**

None

**GP22/059     To receive the report of the County Councillors**

**County Councillor Mrs J. Hood**

The Chairman invited Councillor Mrs Hood to address the Committee.

Covid-19 Community Recovery Fund

Councillor Mrs Hood advised the Committee that she had been given a Covid-19 Community Recovery Fund for allocation to voluntary groups and organisations that had not been able to raise funds through the lockdown. She invited Town Councillors to suggest that local groups of any type (as long as they are voluntary) contact her. Further information about the opportunity was also available online.

**County Councillor I. Parry**

Councillor Parry was not in attendance at the meeting.

**GP22/060     To receive the report of Borough Councillors**

The Chairman informed the Committee that no report was available from Borough Councillors representing Stone.

**GP22/061     Representations from Members of the Public**

None

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

**GP22/062     Minutes**

RESOLVED:

- a) That the minutes of the General Purposes Committee meeting held on 3 August 2021 (Minute Numbers GP22/038 – GP22/055), be approved as a correct record.

**GP22/063     Minutes of Sub-Committees**

- a) Estates Sub-Committee held on 27 July 2021 (Minute Numbers EST22/001 – EST22/008), that the draft minutes be noted and the recommendations of the Sub-Committee contained in Minute Numbers EST22/005 and EST22/008 be adopted.
- b) Management Sub-Committee held on 27 July 2021 (Minute Numbers MAN22/001 – MAN22/010), that the draft minutes be noted and the recommendations of the Sub-Committee contained in Minute Number MAN22/005 be adopted.

**GP22/064     Requests for Grants from Local Organisations**

**Christ Church First School - £500**

The Committee considered the grant application from Christ Church First School requesting £500 towards the installation of a bike and scooter park which formed part of broader improvement scheme to enhance the appearance and facilities of the school playground.

RESOLVED: To award £500 to Christ Church First School.

**GP22/065     Review of Standing Orders**

The Committee undertook to review the Council's Standing Orders\* which had been circulated with the agenda for the meeting. The document had been reviewed by the Town Clerk, who had proposed revisions in respect of updated regulations and the consolidation, where appropriate, of temporary changes made during the pandemic. There had also been some revisions made to improve English and readability which have no material effect on the document.

RESOLVED: To defer consideration of the revised Standing Orders until the next meeting of this Committee in accordance with normal practice.

**GP22/066     Review of Financial Regulations**

The Committee undertook to review the Council's Financial Regulations\* which had been circulated with the agenda for the meeting. The document had been reviewed by the Town Clerk, who proposed changes to Regulations 5.7b (to produce a report of all payments to each ordinary meeting of the General Purposes Committee), Regulation 5.10 (to allow payments to be made using PayPal) and Regulation 10.3 (relating to procurement, reflecting Britain's exit from the European Union and the latest contract threshold figures).

RESOLVED: To defer consideration of the revised Financial Regulations until the next meeting of the Committee in accordance with normal practice.

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**GP22/067     Budget Monitoring Report – July 2021**

The report of the Town Clerk was noted.

**GP22/068     Stone Heritage Centre – Project Governance**

The Committee considered the report\* of the Town Clerk on the governance arrangements for the Stone Heritage Centre project and recommendations for an appropriate structure to the Committee.

The Town Clerk advised the Committee of the decisions already taken by him under delegated powers which included insuring the Fire Station as a vacant building, the appointment of Byatt Oliver as architects for the project and the appointment of Meddings Associates and Hindsight Heritage as interior design and concept consultants.

RESOLVED: That the Town Council:

- a. Replaces the current Heritage Centre Working Group with a Heritage Centre Steering Group, operating as proposed within the report.
- b. Adopts the terms of reference annexed to the report for the Steering Group.
- c. Appoints Councillor Leason as the Vice Chairman of the Steering Group.
- d. Notes the decisions already taken by the Town Clerk under delegated powers.

**GP22/069     Stone Heritage Centre Steering Group – Appointment of Co-Opted Non-Councillor Member**

RESOLVED: To appoint Helen Frost as a co-opted non-Councillor member of the Stone Heritage Centre Steering Group.

**GP22/070     Covid-19 Commemoration**

The Committee considered how the Town Council should commemorate the lives of local people affected by Covid-19.

The Committee suggested planting a number of trees on the Tilling Drive park in order to create an area of reflection for everyone touched by Covid-19. As well as loved ones that have been lost, people could reflect in situations such as university students not having an opportunity to experience their formal graduation, school children who have missed two years of schooling and babies born to grandparents who were unable to see them.

As an alternative, the Committee also suggested planting trees on the Town Council's land situated adjacent to Crown Meadow on the left side of Trent Close.

The Committee suggested installing a seat or bench, something similar to the seat designed by the sculptor, Philip Hardacre.

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RESOLVED: That an area of reflection is created through tree planting on the Town Council's land, adjacent to Crown Meadow, to the left of Trent Close.

RESOLVED: That the Environment Sub-Committee is asked to oversee the tree planting project in consultation with the Borough Council's Biodiversity Officer.

**GP22/071     Queen's Platinum Jubilee**

The Committee considered the setting up, membership and terms of reference of a Queen's Platinum Jubilee Working Group.

RESOLVED: That a Queen's Platinum Jubilee Working Group be set up under the leadership of the Tourism & Town Promotions Sub-Committee.

RESOLVED: That the membership of the Queen's Platinum Jubilee Working Group consist of:

Councillors: J. Davies, Mrs J. Hood, R. Kenney, P. Leason and J. Powell.

**GP22/072     Christmas 2021**

The Committee considered the purchase of illuminated Christmas trees to be installed in the High Street during the festive season in 2021. It was noted that the item had been considered and recommended by the Tourism and Town Promotion Sub-Committee at its meeting on 31<sup>st</sup> August 2021, at a cost of £2,500.

The Town Clerk confirmed that there was enough unspent money in the Tourism & Town Promotion Sub-Committee budget and it would not be necessary to approve additional budgetary provision for this expenditure.

RESOLVED: That the Town Council purchase illuminated Christmas trees to be installed in the High Street during the festive season in 2021.

**GP22/073     Town Council Payments**

RESOLVED: To note the list\* of Town Council payments made during the period 1 to 30 July 2021.

Councillor Mrs Hood noted the rental payments for water dispensers, and asked whether the Town Council could go back to providing water which had been taken away for safety reasons during the Covid-19 period.

Some members suggested that the water machines should not be replaced for environmental reasons and the Chairman requested that the item be listed on the next General Purposes Committee agenda.

**GP22/074     Update from Working Groups:**

**Neighbourhood Plan Steering Group**

Councillor Mrs Hood advised the Committee that no meeting of the Steering Group had taken place.

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#### **Stone Area Parish Liaison Group**

Councillor J. Davies informed the Committee that the next meeting of the Stone Area Parish Liaison Group would be held in October. He said that he was beginning a tour around some of the neighbouring parishes to encourage them to get more involved and he would be attending a meeting of Fulford Parish Council on Thursday.

#### **Heritage Centre Working Group**

Councillor Leason advised the Committee that a meeting of the collection of Sub-Groups of the Heritage Centre Working Group had taken place yesterday and had considered the road map in relation to when things should be done. The Group also looked at allocating areas of responsibility to people regarding the collection and interests.

#### **GP22/075     To receive reports from Town Councillors on attendance at meetings of local organisations and outside bodies as a representative of the Town Council**

##### **Stone ATC**

Councillor Davies advised the Committee that he had given his report on the last ATC meeting at the last meeting of the General Purposes Committee. He said that he had been delighted to see Stone ATC at the Farmers' Market on Saturday.

##### **Age Concern Stone & District**

Councillor Thornicroft advised the Committee that there had been no meeting.

##### **Stafford & Stone Access Group**

Councillor Kelt advised the Committee that there had been no meeting.

##### **Stone Common Plot Trustees**

Councillor Kenney confirmed that there had been no further meetings but he reported that there were numerous diseased trees (affected by Ash Dieback) on the Plot and work had been started on removing and trimming them as and when necessary.

##### **Stone Community Hub Liaison Group**

Councillor Mrs Hood, Councillor Mrs Davies and Councillor Powell confirmed that no meetings had taken place.

##### **SPCA Executive Committee**

Councillor Green was not available to provide a report.

**The meeting was temporarily suspended and then reconvened after the open session of the Planning Consultative Committee meeting had taken place.**

#### **GP22/076     Exclusion of the Press and Public**

**To resolve, pursuant to the Public Bodies (Admission to Meetings) Act 1960, that the Public and Press be excluded from the meeting whilst the next items of business are discussed on the grounds that publicity would be prejudicial to public interest by reason of the confidential nature of the debate.**

RESOLVED: To exclude the Press and Public from the next items of business.

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**GP22/077      Confidential Minutes**

RESOLVED:

- a) That the Confidential Minutes of the General Purposes Committee meeting held on 3 August 2021 (Minute Numbers GP22/038 and GP22/055), be approved as a correct record.

**GP22/078      Confidential Minutes and recommendations of Sub-Committees**

- a) Estates Sub-Committee meeting held on 27 July 2021, Minute Numbers EST22/001 and EST22/008.

RESOLVED:

- i. To note the draft minutes
  - ii. To approve the recommendations contained in Minute Number EST22/008
- b) Management Sub-Committee Meeting held on 27 July 2021, Minute Numbers MAN22/001 and MAN22/010.

RESOLVED:

- i. To note the draft minutes

**CHAIRMAN**

# Stone Town Council – Tourism & Town Promotion Sub-Committee

## Minutes of the meeting held in the Council Chamber, 15 Station Road, Stone, on Tuesday 31 August 2021

**PRESENT:** Councillor Mrs J. Hood in the Chair and  
Councillors: A. Best, J. Davies, Mrs L. Davies, R. Kenney, P. Leason, J. Powell and  
C. Thornicroft

By Chairman's invitation: Councillor R. Townsend

**ABSENT:** Councillors: I. Fordham and M. Green

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**TTP22/008**    **Apologies**

Councillors: I. Fordham and M. Green

**TTP22/009**    **Declarations of Interest and Requests for Dispensation**

None received

**TTP22/010**    **Representations from Members of the Public**

None

**TTP22/011**    **Minutes of Previous Meeting**

The minutes of the Tourism & Town Promotion Sub-Committee meeting held on the 6 July 2021 (Minute Numbers TTP22/001 – TTP22/007), were approved as a correct record.

**TTP22/012**    **Tokyo 2020**

The Sub-Committee acknowledged the wonderful achievements of local Canoeist Adam Burgess who finished fourth in the Olympic Games recently held in Tokyo.

The Sub-Committee recognised the hard work of both Adam and the Stafford and Stone Canoe Club, a fantastic organisation whose achievements are world standard and bring tremendous honour to the town.

RECOMMENDED: That a congratulatory letter is sent to Adam Burgess in recognition of his personal achievements and those of Stafford and Stone Canoe Club in the Olympic Games 2021.

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The Sub-committee considered the events schedule for the remainder of 2021 and plans for 2022.

St Georges Day Event

The Chairman advised the Sub-Committee that the Knights involved in the St George's Day program had suggested holding an event on 25 September 2021.

The Town Clerk confirmed that the event could be agreed under delegated powers as there wouldn't be time for approval by the General Purposes Committee.

Christmas Lights Switch-On

The Chairman invited the Sub-Committee to consider whether a physical Christmas Lights Switch-On should be held in the High Street this year on Thursday 18 November 2021.

The Chairman reminded the Sub-Committee that the Switch-On was one of the most popular events in the year and asked members to consider how the Town Council should mark the start of the festive season in 2021.

The Chairman raised questions about whether families would be confident enough to attend a live event in the High Street this year and asked the Sub-Committee to consider whether it wished to take responsibility for the risks relating to Covid-19.

The Sub-Committee discussed the pros and cons of holding a physical Christmas Lights Switch-On, including both their concern about the potential for large attendances, as in previous years, where people have no choice but to stand in close proximity, and the desire to return to some sort of normality.

The Sub-Committee explored different approaches to holding a physical Switch-On event, and expressed their appreciation for the superb Virtual Christmas Lights Switch-On in 2020 which had reached more people than a physical event including people from all across the world.

The Town Clerk advised the Sub-Committee that if it wanted to hold a live event, preparations would need to begin imminently in order to secure the necessary services such as staging. He also advised that some costs would (most likely) be incurred from the outset even if the Town Council later decided not to proceed.

RECOMMENDED: That the Christmas Lights Switch-On is delivered virtually in 2021 and that the preparations for a live event in the High Street are not progressed.

Queen's Platinum Jubilee

The Chairman invited the Town Clerk to update the Sub-Committee.

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The Town Clerk advised the Sub-Committee that preparations for the Beacon Lighting on Thursday 2 June 2022 had commenced and a bugler and a bagpiper had been secured to perform.

The Town Clerk suggested that the Sub-Committee consider appointing a working group to determine the direction and shape of the Queen's Platinum Jubilee celebrations.

The Sub-Committee received a report that the architect at St Michael & St Wulfad's Church had been concerned about the fixing of the beacon to the roof and the Town Clerk was asked to write to the PCC at the Church.

RECOMMENDED: That the General Purposes Committee is asked to consider the arrangements for a Queen's Platinum Jubilee Working Group.

**TTP22/014      Christmas Lights**

The Chairman invited the Town Clerk to give an update on the 2021 Christmas lighting provision at Walton shops.

The Town Clerk reminded the Sub-Committee that the proposal for Walton shops was to erect two eight metre poles at the entrance to the car park to support curtains of lights that will run across to the tops of the shops. He advised the Sub-Committee that he had placed an order for a company to supply the poles and to put the holes in the ground. However, as the poles are higher than four meters, he has also needed to submit a planning application to Stafford Borough Council.

The Town Clerk further advised that he had submitted the planning application at the beginning of August, but did not know when it would be decided. He was investigating whether he would be able to use the legislation which permitted temporary use of the land for up to 28 days if the decision was delayed, but acknowledged that this could result in the removal of the lights before the Christmas period was over.

**TTP22/015      Christmas Trees**

The Sub-Committee considered the purchase of Christmas trees for the festive season.

RECOMMENDED: That the Town Council purchases illuminated Christmas trees to be installed in the High Street in 2021, to include the batteries to power them and all other costs to the maximum value of £2,500.

**TTP22/016      Floral Displays in Stone**

The Sub-Committee recognised the work of the Streetscene staff who had produced exceptional floral displays in the town this summer. The boxes on the

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railings, the podiums, hanging baskets, displays in Stonefield Park and in the whole of the town had been a delight.

RECOMMENDED: That the Town Council writes to the Streetscene Team to say thank you for the exceptional floral displays in Stone.

**TTP22/017      Reports from Working Groups**

To receive reports from Working Groups:

**Remembrance Plaques Working Group**

Councillor J Davies advised the Sub-Committee that Oak Tree Farm was beginning to come back into action after the Covid-19 pandemic.

He advised the Sub-Committee that in preparation for working with Oak Tree Farm he has sent out to the Working Group the first cut of the design which followed the design of the traditional blue wall plaque.

Councillor Davies advised the Sub-Committee that obtaining the addresses of the soldiers who served in World War 2 (those commemorated on the war memorial) was proving challenging. The Stone Historical and Civic Society have the details of the soldiers who died in the First World War but no details for World War 2.

The Sub-Committee asked whether the Conservation Officer's permission would be required before installing the wall plaques and Councillor Davies confirmed that the point was listed for investigation.

**Promotion of Stone Working Group**

The Town Clerk advised the Sub-committee that although the Promotion of Stone Working Group had been transferred from the General Purposes Committee, some other working groups had been dissolved on the basis that their work would be consumed by this Group.

The Town Clerk confirmed that the configuration of the Working Group should be listed as an agenda item for consideration at the next meeting of the Sub-Committee.

The Chairman advised the Sub-Committee that it would be asked to consider co-option of members to the Working Group.

**Chairman**

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# Stone Town Council – Environment Sub-Committee

## Minutes of the meeting held in the Council Chamber, 15 Station Road, Stone, on Tuesday 31 August 2021

**PRESENT:** Councillor P. Leason in the Chair and  
Councillors: K. Argyle, Mrs A. Burgess, T. Kelt, R. Kenney, J. Powell and  
R. Townsend

By Chairman's invitation: Councillors J. Davies and Mrs J. Hood

**ABSENT:** Councillors: Mrs K. Dawson and M. Hatton

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**ENV22/007     Apologies**

Councillors: Mrs K. Dawson

**ENV22/008     Declarations of Interest and Requests for Dispensations**

None received

**ENV22/009     Representations from Members of the Public**

None

**ENV22/010     Minutes of Previous Meeting**

The minutes of the Environment Sub-Committee meeting held on the 6 July 2021 (Minute Numbers ENV22/001 – ENV22/006), were approved as a correct record.

**ENV22/011     Environment Policy**

The Sub-Committee considered the Environment Policy\* which had been enclosed with the agenda for the meeting.

The Sub-Committee raised questions about the Policy's implications on the Town Council's tendering process, making it complex for bidders, adding costs and potentially reducing the pool of suppliers.

The Town Clerk advised the Sub-Committee that the policy would not present a significant financial risk to the Town Council as the tendering process is only used infrequently and the Council would retain the opportunity to make individual decisions. The Council would not be obliged to accept any specific terms and would be able to balance environmental and financial consequences.

The Sub-Committee sought clarification from the Town Clerk on a number of

points in the draft Environment Policy and the following amendments were agreed:

5.9f. *Request roadside, verges, footpaths be kept clear and tidy.*

Delete the whole line

5.9g. *Consider street design, including road closures for play and school safety.*

Insert the word 'road' before the word 'closures'.

The Chairman asked that the Allotments Policy be reviewed on the next agenda.

RECOMMENDED: That the General Purposes Committee is asked to adopt the revised Environment Policy.

## **ENV22/012 Crown Meadow Improvements**

The Sub-Committee considered the update (which had been enclosed with the agenda for the meeting) on the work being undertaken by the Council's Grounds Maintenance Contractor on Crown Meadow.

### First Walk

The Chairman advised the Sub-Committee that two walks had taken place on Crown Meadow and following the first walk the Biodiversity Officer had confirmed in a letter that management of the wetland scrapes had been successful. The Biodiversity Officer suggested that consideration could be given to an annual hay cut with the cuttings removed to prevent nutrition building up. This would maintain the diversity of wild flowers and create light and space for the plants to develop.

The Biodiversity Officer also suggested that in September, 50% of each scrape is cut with the cuttings removed, followed by the remaining 50% cut the year after. The two year rotation would give space and help control the Willow and other dominant species.

The Chairman suggested asking the grounds maintenance contractor for an estimate of the cost of the work.

### Second Walk

The Chairman reported on the observations and recommended actions noted during the second walk of Crown Meadow which were:

- The Perspex in the information board is dirty and obscure.
- A second information board should be installed near to the footbridge.
- Volunteers are recruited to sand and repaint the benches.
- To contact the river authority about the fallen Ash tree which could cause problems with debris build up and flooding.
- That the Himalayan Balsam is controlled by volunteers or through the creation of a 'Friends of Crown Meadow'.
- Install picnic benches on the field next to Crown Meadow.

The Sub-Committee made the following comments in response to the observations/recommendations:

- Working with volunteers can be problematic.
- The Ash tree is full of wildlife and has been in the river for a number of years.
- Himalayan Balsam needs to be cleared from upstream.
- The natural resource of Balsam should not be taken away without replacing it with something else.
- Cutting half of the scrapes each year may keep the Balsam in check.

The Sub-Committee concluded that professional advice would be sought from the Biodiversity Officer on how to best manage the Himalayan Balsam. A recommendation on the varieties of flower species to plant would also be requested. The Chairman said that he would provide a report at the next meeting of the Committee.

Councillor Mrs Hood informed the Sub-Committee that she felt the previous reports on the removal of trees had been misleading as these were actually whips and saplings. She said the Environment Sub-Committee had not recommended the removal of mature trees (except in respect of the removal/replanting program to screen M & S).

The Sub-Committee agreed that more accurate detail and clarification was needed as it was important to give the correct work instructions to the grounds maintenance contractor.

#### **ENV22/013     Reports of Working Groups**

##### **a)     Plastic Free Community/Single Use Plastics Working Group**

The Chairman invited Councillor Townsend to provide a verbal report on the work of the Single Use Plastics Working Group.

Councillor Townsend advised the Sub-Committee that the next area of work for the Working Group would be implementation of the Environment Policy.

He confirmed that a further meeting would be held with the Borough Council to properly understand their policies/practices on the reduction and recycling of single use plastics and to agree how that could be implemented across Stone.

##### **b)     Environmental Issues Working Group**

The Chairman invited Councillor Kelt to provide a verbal report on the work of the Environmental Issues/Climate Working Group.

Councillor Kelt advised the Sub-Committee that a meeting had taken place several weeks ago and a number of actions agreed. On the advice of the Town Clerk most actions could be implemented straight away with the need to obtain costings and approval of the General Purposes Committee on others.

Councillor Kelt advised the Sub-Committee that the Working Group would proceed with some of the agreed actions which would involve working with Stafford Borough Council on areas of common concern.

Councillor Kelt said that the working group would also be making contact with Walton Priory Middle School (who had responded to its letter about environmental issues) to talk about the activities the children were doing.

**Chairman**

# Application for Grant Aid



Name of organisation:

1st Stone Scout Group

Purpose of organisation:

To provide Scouting opportunities for young people in Stone District.

Amount of grant requested:

Click or tap here to enter text.

Total cost of project (if appropriate):

Click or tap here to enter text.

Reason for grant request:

The Pump House is undergoing further renovations to improve the space and safety. During these renovations we discovered an issue with the floor which has resulted in a hole forming. Stafford Borough Council are dealing with this but it means we are currently unable to use the main hall and have been continuing with Scouting activities outside. There is no completion date for this as yet.

With the weather drawing in we have approached the Town Council to see if we can use the Frank Jordan Centre and/or Station for our meetings instead. This grant is to respectfully ask the Town Council to cover the hire fees for Beavers, Cubs, Scouts and the Scout and Guide Band until we are able to use The Pump House once again.

Benefits to Stone residents:

1<sup>st</sup> Stone Scout Group has given local young people the opportunity to learn new skills and face new challenges, which will help them in their adult lives, for almost 100 years. We will be continuing this for many years to come and, with your help, we can avoid a winter shut down so our members can continue accessing Scouting activities.

Other sources of funding secured or being explored (with amounts where known):

None

Is this an “exceptional” request (see notes)? If so, please explain why the Council should treat it as an exception:

This is an exceptional request as it falls outside the usual scope for grant approval timescales. As this is time sensitive with winter just around the corner, we respectfully ask that the Council considers this application at the earliest opportunity.

Grants awarded by the Council in the last two years, and the uses made of the funding:

£495 to cover accommodation rental for Christmas Camp held at Kibblestone Scout Camp in December 2019.



Statement of support from Council appointed representative (if applicable):

[Click or tap here to enter text.](#)

## ACCOUNTS

### 1st Stone Scouts P&L 2018-19

Income	2018-2019	Prv Year	Notes
Subscriptions	6297.00	4850.00	
Gift Aid	1127.62	888.89	
Fund Raising	100.00	0.00	
Income for Events	0.00	285.00	Note 1
Hire of HQ	1325.00	1350.00	Note 2
Grants & Donations	1223.88	708.00	
Transfer from Roof Repair Reserve	0.00	21427.46	
Miscellaneous Income	0.00	0.00	
	<b>10,073.50</b>	<b>29,509.35</b>	
<b>Expenditure</b>			
Programme Activities	614.06	473.31	
Badges & Uniform	291.22	307.96	
Capitation	1955.70	1902.70	
Event Costs	0.00	286.00	
HQ Costs	1971.64	983.96	Note 3
Equipment Purchase & Maintenance	4.99	0.00	
Management & Administration	179.61	117.45	
Roof Repairs	0.00	30874.50	
Miscellaneous Costs	109.35	0.00	
	<b>5,126.57</b>	<b>34,945.88</b>	
<b>Surplus/(Deficit)</b>			
	<u><b>4,946.93</b></u>	<u><b>-5,436.53</b></u>	
<b>Notes</b>			
<b>1</b> HQ Income: Town Band £300, Scout Band £400, District £300, Bonfire etc £325			
<b>2</b> Grants from Staffs CC, Copper Jar, Bonfire & £400 from Stone Rotary for Water Heaters			
HQ Expenses: Gas £740, Electric £300, Repairs etc £930			
<b>1st Stone Scouts Balance Sheet 2018-19</b>			
	<b>2018-2019</b>	<b>Prv Year</b>	
<b>Assets</b>			
Cash in Bank	5185.13	6760.54	
Floats & Cash/Chqs in Hand	2390.92	707.99	
Gas Oil Stock			
700.00 Other Assets		700.00	
0.00		0.00	
Debtors	1547.42	888.25	Gift Aid & Rotary Donation
	<b>9823.47</b>	<b>9056.78</b>	
<b>Liabilities</b>			
Creditors	953.48	5083.72	Owed for Water Heaters & Gas Delivery
	<b>953.48</b>	<b>5083.72</b>	
<b>Total Assets less Liabilities</b>	<u><b>8869.99</b></u>	<u><b>3973.06</b></u>	
<b>Capital &amp; Reserves</b>			
Roof Repair Reserve	0.00	0.00	
Other Reserved Capital	170.63	220.63	Cubs Nights away & OSM donation
Unreserved Capital	3752.43	9188.96	
P&L Account	4946.93	-5436.53	
	<u><b>8869.99</b></u>	<u><b>3973.06</b></u>	
<b>Notes:</b>			

**2018-19 Section Breakdown**

	<b>Costs</b>	<b>Receipts</b>
SUBSCRIPTIONS		
Subscriptions - Beavers		2,105.00
Subscriptions - Cubs		2,370.00
Subscriptions - Scouts		1,822.00
GIFT AID		
Gift Aid - Beavers		356.25
Gift Aid - Cubs		532.12
Gift Aid - Scouts		239.25
Fund Raising		100.00
EVENTS (CAMPS ETC)		
Event Income - Beavers		
Event Income - Cubs		
Event Income - Scouts		
Hire of HQ		1,325.00
Grants & Donations		1,223.88
Credit Charges (Late Payments)		
Miscellaneous Income		
PROGRAMME ACTIVITIES		
Programme Activities - Beavers	307.39	
Programme Activities - Cubs	301.62	
Programme Activities - Scouts	5.05	
BADGES & UNIFORM		
Badges & Uniform - Beavers	119.55	
Badges & Uniform - Cubs	131.55	
Badges & Uniform - Scouts	40.12	
CAPITATION		
Capitation - Beavers	590.40	
Capitation - Cubs	664.20	
Capitation - Scouts	701.10	
EVENTS (CAMPS ETC)		
Event Expenses - Beavers		
Event Expenses - Cubs		
Event Expenses - Scouts		
HQ COSTS		
Gas Oil Used	744.03	
Electricity	294.00	
Water		
Repairs, Renewals & Maintenance	933.61	
Building Repairs (Major)		
Equipment Purchase & Maintenance (Owned)	4.99	
Management & Administration	179.61	
Miscellaneous Costs	109.35	

# Application for Grant Aid



Name of organisation:

Douglas Macmillan Hospice

Purpose of organisation:

Imagine that moment when a family hears the devastating news that their loved one's illness is no longer curable. Imagine being told that your child has a serious medical condition that means they are unlikely to reach adulthood; that you will almost certainly outlive your child. Douglas Macmillan Hospice (Dougie Mac) provides heartbroken families with the care and support that helps them face the unimaginable. We enable children, young adults, adults and their families make the most of the time that they have left together. We help them to manage physical symptoms, give vital emotional and psychological support, we help them navigate the practicalities of changes in life and financial situations and, when the time comes, we're there to ensure dignity, comfort and peace at the end of their life.

Until March 2021, children's palliative care in Staffordshire was provided by The Donna Louise Children's Hospice. It has now been integrated into the existing infrastructure of Dougie Mac in order to protect the services we offer to local families. The integration of The Donna Louise into the Dougie Mac means that local families, who face an uncertain future, can do so safe in the knowledge that the support they have always relied on will continue to be there.

This application is for a grant to support the children's service.

Amount of grant requested:

£200

Total cost of project (if appropriate):

The total budgeted cost of children's nursing care in 2021/22 is £1,818,790

Reason for grant request:

This grant would be used to provide specialised palliative nursing care in our children's hospice. Being, or caring for, a child with a life-limiting condition is a scary and often lonely journey. The support we offer helps families to cope with the unimaginable, it gives them a break from caring for a very sick child 24/7 and it allows them time to just enjoy being a family together.

*"...to live everyday with the unthinkable is a huge strain... there are moments when I am overwhelmed with heartbreak, yet of course still have to deal with numerous and often complex practical issues around my child's health needs. To know I can pick up the phone and always have someone to advise, support or provide practical help is a life-line." (A parent at Dougie Mac)*

Our highly skilled team of nurses look after children facing the most challenging illnesses and are dedicated to helping relieve pain, providing emotional and psychological support with the aim of making the most of every day. Support is for the whole family and includes planned and emergency respite as well as end-of-life nursing care. All services are provided free of charge and in the most appropriate setting, which may be at the hospice or at home.

#### Benefits to Stone residents:

We are currently caring for 6 children and their families in the Stone postcode area.

When a family is told that their child is likely to die before adulthood, life as they know it is gone forever. Their family changes instantly and everybody is affected. The Dougie Mac children's service is the only hospice for children and young people in our area. When a family comes to us, it may be that their child has very recently been diagnosed with a life-limiting condition, and they are reeling from the shock and grief. It may be that they received the diagnosis some time ago and are exhausted from caring for their sick child round the clock 24 hours a day, 7 days a week. One thing is sure, each and every family desperately needs support. Disabled and very sick children face a multitude of barriers to accessing opportunities, and a quality of life, equal to those enjoyed by non-disabled children. Research has shown that the complexity of service provision can leave families lost and unclear on what help they are entitled to, and how to access it. This, coupled with the demands of caring for a very sick child, places unimaginable strain on families. We aim to take away that strain and help them live the life they want in the time they have left together.

*"When Tommy became ill we began to grieve. We grieved for the baby we felt we had lost. We had to accept that we'd gone from having a healthy baby to a baby with very complex needs. The hospice pulled us back together again. We don't know how we'd have coped without their support."* (A mum at Dougie Mac)

Most importantly we help children, young people and families to live, at a time when they are surrounded by thoughts of death. With the support of Dougie Mac we enable families to find a sense of "normality" when life is far from normal. And we help them to make every moment. However long or short a child's life may be, we are there to support every member of the family, every step of the way.

Other sources of funding secured or being explored (with amounts where known):

On average each year we approach 160 Trusts and Foundations to secure grants for core costs and various projects, for the children's hospice. Last year we submitted 176 applications with a combined value of £594,724. So far this year (since 1<sup>st</sup> April 2021) we have applied for 92 grants with a combined value of £148,358. Obviously, not all of these applications will be successful. On average each year we raise about £150,000 for the children's hospice from grant-making organisations and last year grants ranged from £100 to £30,000.

Is this an "exceptional" request (see notes)? If so, please explain why the Council should treat it as an exception:

N/A

Grants awarded by the Council in the last two years, and the uses made of the funding:

N/A

Statement of support from Council appointed representative (if applicable):

N/A

Charity Registration No. 1071613

Company Registration No. 03615904 (England & Wales)



**DOUGLAS MACMILLAN HOSPICE**

**TRUSTEES' REPORT**

**& FINANCIAL STATEMENTS**

**FOR THE YEAR ENDED 31 MARCH 2020**

# Doug Mac Vision, Mission & Values

Our Vision is... To be admired as a centre of excellence for palliative and end of life care.

Our Mission is... To respond to the increasing needs of our patients in our heartland by growing as a sustainable organisation, delivering outstanding value for money for all our funding sources and always remaining true to our core values.



**C**ompassion

Working together by considering the views of others, understanding the challenges they face and providing support.

**A**ccountability

Taking personal responsibility for our actions, owning our decisions and behaviours.

**R**espect

Always trusting, listening and challenging each other. Understanding that we are at our best as individuals whilst working as a team.

**E**xcellence

Embracing excellence by empowering and motivating each other to be the best that we can be.



**DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

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## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **REFERENCE AND ADMINISTRATIVE INFORMATION**

***FOR THE YEAR ENDED 31 MARCH 2020***

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Douglas Macmillan Hospice is a company limited by guarantee and a registered charity governed by its Memorandum and Articles of Association.

#### **Officers**

The current Trustees (Directors) and those who held office during the financial year to 31<sup>st</sup> March 2020 are listed below:

Mr K Brown	Mr D Platt (Chair)
Mrs J Neyt	Dr J Sissons
Mrs S Evans (Vice Chair)	Dr E Slade
Mrs M Rathbone	Mr D Harvey (Resigned 24.6.19)
Mrs J Miller	Mr T Stanway
Ms L Rowley	Mrs K McKenzie (Appointed 2.12.19)
Company Secretary	Mr D Webster
Chief Executive Officer	Mr D Webster
Director of Care	Mrs J McCartney
Director of HR & Support Services	Mrs C Hammond
Director of Income Generation	Mrs K McKenzie
Director of Finance	Mrs V Dean

#### **Legal and Administrative Information**

Company Number	3615904
Charity Number	1071613
Registered Office	Barlaston Road Stoke-on-Trent ST3 3NZ
Auditors	Geens Limited Chartered Accountants 68 Liverpool Road Stoke-on-Trent ST4 1BG
Principal Bankers	Lloyds Banking Group 46 High Street Newcastle-under-Lyme ST5 1QY
Solicitors	Tinsdills Limited Hays House, 25 Albion Street Hanley Stoke-on-Trent ST1 1QF

## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

#### **FOR THE YEAR ENDED 31 MARCH 2020**

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As Trustees of Douglas Macmillan Hospice, and Directors of the charity for the purposes of the Companies Act 2006, it is our privilege to present the Annual Report and Audited Financial Statements for the year ended 31<sup>st</sup> March 2020.

#### **THE DIFFERENCE WE MAKE**

For the past 47 years since our inception in 1973 Douglas Macmillan Hospice, or Dougie Mac as we are colloquially known has gained a reputation for providing excellent palliative and end of life care to local people in our heartland who have a progressive, life limiting illness. In the health and social care environment in which we operate, where resources are invariably stretched, Dougie Mac has consistently relied upon the generosity and kindness of local supporters to sustain the range of services we provide. This year is no different. Of the £12.96 million costs of running our hospice, 77% of our income is from donations, legacies, fundraising, individual giving, sales of items in our shops and other ways in which local people and firms have shown their commitment to Dougie Mac. We are extremely grateful for such phenomenal support.

This year our total income dropped by £1.1million compared to the previous year but this was almost entirely due to a very substantial donation made in 2019 to completely refurbish our Inpatient Unit, work which is now fully completed. Also, Dougie Mac is a financially robust hospice with sufficient reserves to contend with the cost impact of disproportionately damaging devaluations in our investment portfolio, such as happened at the end of March 2020, following the national lockdown as a consequence of Covid19.

However, neither a drop in donated funding nor a notional reduction in our investment assets prevented Dougie Mac from making a customarily impressive impact on our local health economy. This year our community based specialist palliative care nurses made 15,873 visits to patients at their home (or in a nursing home) and our Hospice at home team enabled over 400 patients to die at home as they had expressly wished to do so. Of course many patients continue to seek the companionship and specialist on-site care in our Inpatient Unit and this year we admitted 256 patients to our ward at the hospice. Additionally our 24/7 Advice Line received 6291 calls in 2019/20 (a rise of 28% on the previous year), demonstrating Dougie Mac's ongoing affirmation to be responsive and accessible to patients, their carers and also to local health professionals seeking specialist advice.

The myth that hospices are solely focused on patients with a cancer diagnosis is a difficult one to erase, but the truth is that a modern hospice such as Dougie Mac is committed to meeting requirements of all patients with a palliative need, irrespective of diagnosis. Consequently in the decade since 2010 the proportion of non-cancer patients at Dougie Mac has risen from 9% to 35% in 2020. The most prevalent non-cancer referrals are for patients with dementia, chronic respiratory disease and heart failure and the current mix of patient diagnosis is one of the many dimensions of hospice care featured in our recently published Quality Account 2019/20 which reinforces our strategic aim *"to be admired as a centre of excellence for palliative and end of life care"*

#### **FINANCIAL REVIEW**

The financial statements for the year have been prepared in accordance with the Statement of Recommended Practice Accounting and Reporting by Charities (SORP 2019) and comply with all statutory requirements and the hospice's governing document. The financial statements consolidate the results of Douglas Macmillan Hospice and its trading subsidiaries.

The Trustees report a net decrease to overall funds for the year of £1.05 million (2018/19: £1.52 million increase) and an overall funds balance of £12.2 million at 31 March 2020 (£13.2 million at 31 March 2019). The financial position of the group is set out in the balance sheet on page 12. The Reserves Policy relating to the funds held by the hospice is described in the Reserves Policy on page 7.

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

### TRUSTEES' REPORT

FOR THE YEAR ENDED 31 MARCH 2020

#### INCOME AND EXPENDITURE

The Statement of Financial Activities is set out on page 11 of these financial statements. From an operating perspective, 2019/20 showed a deficit before investment losses and pension liability movements of £0.34 million (2018/19: surplus £1.32 million); the two main reasons for this are outlined below.

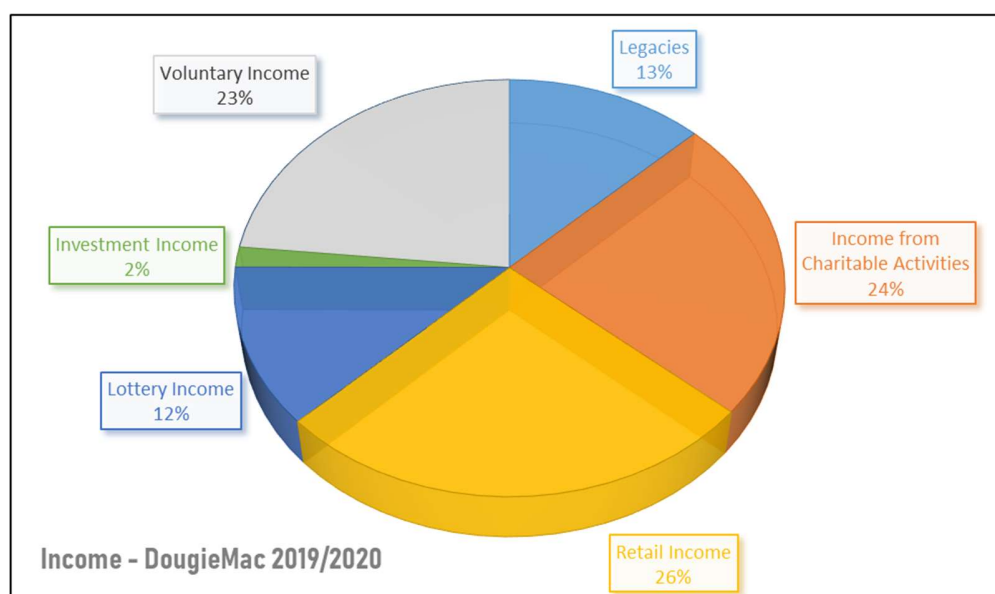
Total consolidated income for the year was £12.6 million, a decrease of £1.1 million on the previous year; 2018/19 was a particularly strong year for donations and legacies, with a one-off restricted donation of £950,100 boosting donated income to record levels. Total consolidated expenditure increased by £0.52 million from 2018/19 to £12.96 million, of which £0.44 million related to the modernisation of the inpatient unit which commenced at the end of 2018. Notwithstanding these exceptional items, and without such a dramatic fall in value of fixed asset investments, the Hospice would have made an operating surplus.

Unrestricted donations from individuals, communities and corporates grew by 6% whilst income from fundraising events increased by an impressive 13%. Following an outstanding year for legacies in 2018/19, income for 2019/20 dropped by 26% to a respectable £1.6 million, a level more typical of legacy income in recent years.

Income from NHS Clinical Commissioning Groups (CCGs) remained virtually unchanged from 2018/19 at £2.4 million. Funding pressures continue to exist in the NHS with inflationary cost increases not being matched by increases in charitable activity funding.

Despite challenging market conditions on the high street, this year has shown improved sales figures for our Charity Shops, with an increase on the previous year of 4%. The growth in sales within the Dougie Mac retail network was aided by a consolidation in re-cycling, online and furniture sales and a rise in donated goods sales. Retail income accounted for over a quarter of the Hospice's income.

The Dougie Mac Lottery continues to be a dependable and steady income source ending the financial year with nearly 25,000 active players. During the year membership grew yielding an additional £40,000 in income. The seasonal Christmas and spring raffles remain popular, raising an outstanding £120,000 for the Hospice.

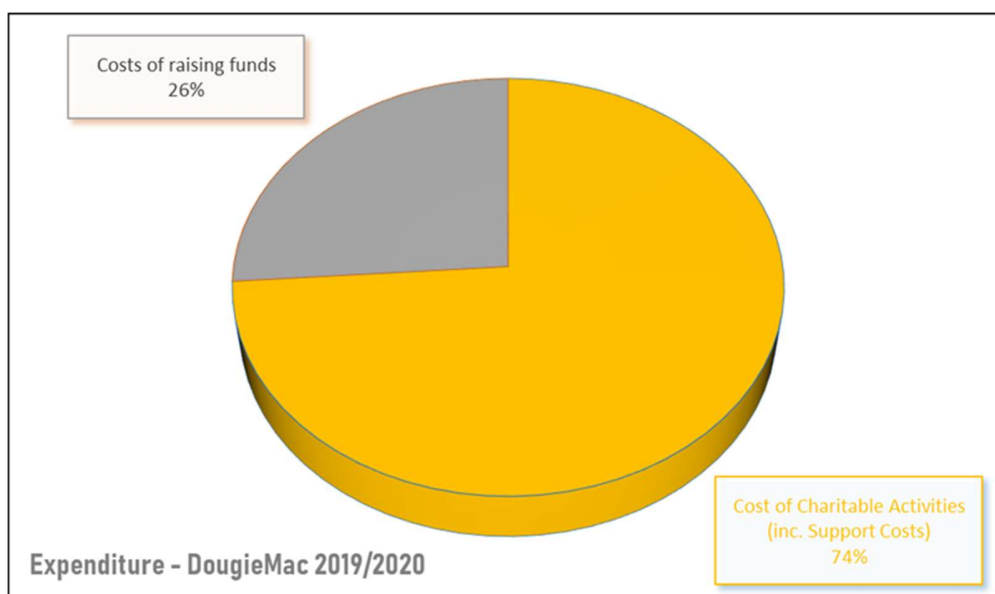


## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

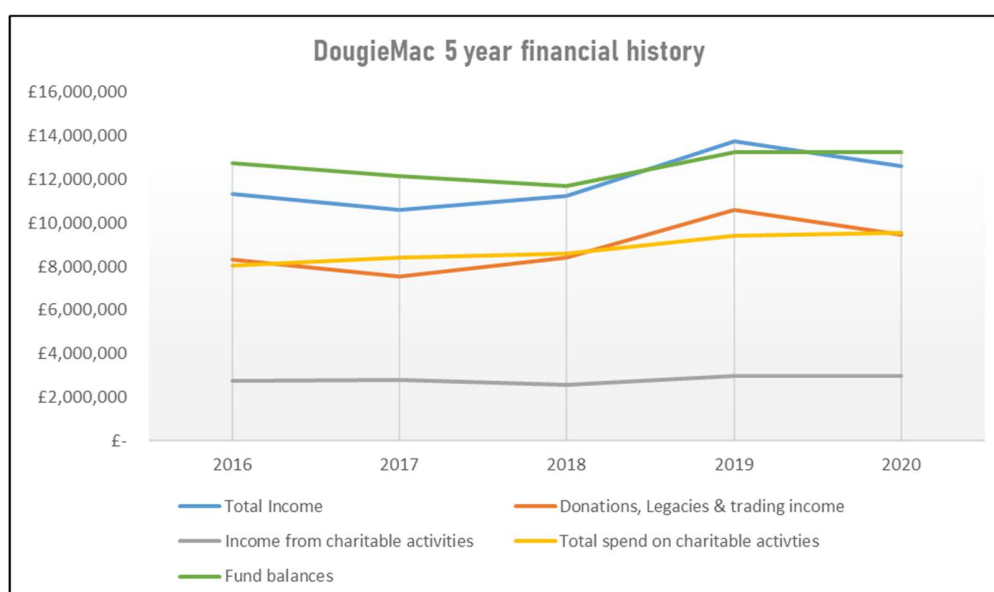
### TRUSTEES' REPORT

FOR THE YEAR ENDED 31 MARCH 2020

The cost of Charitable Activities increased by £0.14 million from £9.43 million to £9.57 million, the cost of raising funds increased by £0.38 million; this supported a long term investment in our Retail and Lottery operations which in time will result in an uplift in net surplus. We continue to review our cost base to ensure that we are providing our services as efficiently as possible and are proud to report that, for every £1 donated to the hospice, 74 pence is spent on providing specialist care to our patients, their families and carers.



The actuarial loss in the pension fund is £0.127 million and is shown in the Statement of Financial Activities. The pension liability in the balance sheet has increased by £35,000 since last year which generates a liability of £2.24 million. The pension liability and its impact on the hospice's financial position is monitored closely by the Hospice Trustees and also by the Trustees of the Federated Pension Scheme for the Douglas Macmillan Hospice.



## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

**FOR THE YEAR ENDED 31 MARCH 2020**

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#### **INVESTMENTS**

We hold an investment portfolio that, at the beginning of 2020, was valued at £6.7m; in late March, as a consequence of Covid-19, its paper value dropped to £5.7m. Although this drop in value was significant, it's pleasing to realize some recovery over the last few months. Since the start of the year the portfolio has only seen a small devaluation of 3.0%; certainly a muted reaction considering the Covid-19 disruption we have witnessed across our entire society. This is against a 3.5% fall in the associated benchmark.

A move to a total return strategy, with both capital and income driving the portfolio return, has benefitted the investments hugely. Since the start of 2019 the portfolio has returned 14.3% and pleasingly is 2.1% ahead of the associated benchmark at 12.2%.

While the near future will undoubtedly be choppy, we do see the investments continuing to progress on a 12-18 month view as the recovery continues. The 'quick bounce' is firmly behind us, and there are signs of resuming economic activity that will lift markets gently higher. Of course it is important to emphasize that these investments are regarded as long term, insulating the hospice and our capacity to deliver, even with turbulence such as Covid-19.

#### **OUR STRATEGIC VISION**

The strategic priorities for Dougie Mac are cemented into our DMH@50 Strategic Plan which visualises the intended progress of the hospice as we look towards our 50<sup>th</sup> anniversary in 2023. These are:

- To maintain and enhance the quality of holistic personalised care for all our patients
- To strengthen the long term financial sustainability of the hospice
- To extend our impact on the local health economy by collaborating with other providers
- To improve access to hospice care for extended groups by greater integration in our local community
- To continue to develop our compassionate, committed, professional workforce
- To mould our response to the intensifying need for support and palliative care for people living with dementia

These strategic goals remain intact. However, whilst the full impact of the global pandemic (Covid19) has had a limited bearing on this Annual Report & Accounts (as the period covered is up to 31<sup>st</sup> March 2020) it is inevitable that our strategic progress will be influenced by the devastating effects of this pandemic on our economy and on the health of our communities across the country. When the history of 2020 is written it will be dominated by the effects of the Coronavirus, but at present it is hard to quantify the full impact on Dougie Mac and so a strategic review in 2021 will be essential and timely, in the knowledge that Dougie Mac is a well-resourced and financially strong hospice with substantial reserves and a clear vision of the future.

## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

**FOR THE YEAR ENDED 31 MARCH 2020**

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## **STRUCTURE AND GOVERNANCE**

### **Board of Trustees**

The Board of Trustees is the governing body that administers the charity, sets the strategy, formulates policy and assesses procedures and risk management. The Board meets regularly and the trustees are directors of the company but none of the trustees has a beneficial interest in the company and all are unpaid volunteers.

### **Trustee Recruitment, Appointment and Induction**

The existing trustees of Douglas Macmillan Hospice are empowered under the Articles of Association to elect new trustees at our Annual General Meeting and to make co-options at any other time. Succession planning for trustees is an important dimension of governance as is a blend of skills in the Board of Trustees, so new trustees are recruited in a variety of ways including external advertising and previous interest in and involvement with the Hospice. Additionally potential new trustees are invited to attend Board meetings as an observer to assist them on deciding whether to agree to a nomination as a trustee. New trustees receive a full induction programme over an extended period, including briefings with senior executives and visits to the various parts of the organisation to gain an appreciation of the mosaic of aspects which contribute to the success of Douglas Macmillan Hospice.

### **Subcommittees of the Board of Trustees**

To assist in the smooth running of the charity the Board is supported by six subcommittees each of which meets at appropriately regular intervals and are chaired by a member of the Board. These subcommittees are:

- Investments, Finance & Internal Audit (IFIA)
- People & Values (P&V)
- Clinical Governance & Professional Standards (CGPS)
- Corporate Governance (CG)
- DMH Staffordshire Enterprises Ltd Board (DMHSEL)
- DMH Staffordshire Lotteries Ltd Board (DMHSL)

The trustees on each subcommittee have relevant interests and skills to ensure that they enhance the work of that committee. A scheme of delegation is in place so that day to day responsibility for the affairs of the charity, including all operational matters, rests with the Chief Executive Officer and the Executive team, which currently comprises:

- Chief Executive – David Webster
- Director of Care – Jeanette McCartney
- Director of Income Generation – Karen McKenzie
- Director of HR & Support Services – Cris Hammond
- Director of Finance – Vicki Dean

Both DMHSEL and DMHSL develop commercial activities to support the charity and each covenants its surplus to the charity, and results are included within the Consolidated Financial Statements.

### **Risk Management**

Governance of Douglas Macmillan Hospice is underpinned by a transparent culture of risk evaluation and risk management, enabling the Board of Trustees to consider all risks, both stated and emerging, and fulfill their responsibility for risks faced by the charity. A risk register identifies the potential and actual risks, their nature, likelihood and impact and then outlines the measures taken to mitigate those risks. Trustees review the risk register formally at Board meetings as well as assessing and updating it at appropriate subcommittees.

## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

**FOR THE YEAR ENDED 31 MARCH 2020**

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The main risks that the charity faces are:

**a) Financial Sustainability**

This is mitigated by our robust fundraising strategy; built over many years of successful expansions of donated income, and by cultivating excellent relationships with statutory funding partners in the local health economy.

**b) Reputation**

The Hospice is held in high regard by local people and stakeholder partners and has been so for 45 years but protecting and polishing our reputation requires mitigating actions, notably in ensuring that all our systems, processes and support lead to the successful recruitment retention and development of outstanding people.

**c) Internal Infrastructure**

In a rapidly changing environment our mitigations involves continually assessing and modifying our infrastructure (including I.T.) to contend with contemporary and future needs. Cost containment and investment in new assets are kept in balance by constant monitoring.

### **Reserves Policy**

Reserves are held to ensure that the charity has the ability to withstand any unforeseen drops in income, and to provide capital for future strategic growth, recognising that access to external capital is very limited. The Board of Trustees is satisfied that the current level of reserves provides an adequate buffer against risks that cannot be negated by other means, whilst underpinning the strategic plan for the future of the hospice.

### **Remuneration Policy**

The People & Values subcommittee, which reports to the Board of Trustees, oversees all matters relating to executive remunerations and staff pay and benefits. External benchmarks and local market rates of pay are used as comparatives so that the Hospice can attract and retain high quality staff in both clinical and non-clinical roles. An annual appraisal process is in place to evaluate job performance at an individual level across the organisation.

### **Trustees Responsibilities in Relation to Financial Statements**

The charity's trustees, who are also the directors of Douglas Macmillan Hospice for the purposes of company law, are responsible for preparing a trustees annual report and financial statements in accordance with applicable law and United Kingdom Accounting Standards (UK generally accepted accounting practice).

Company law requires our trustees to prepare financial statements for each year which give a true and fair view of the state of affairs of the charitable company and the group, and of the incoming resources and applications of resources, including the income and expenditure of the charitable group for that period.

In preparing these financial statements, the trustees are required to:

- Select suitable accounting policies and then apply them consistently
- Observe the methods and principles in the Charities Statement of Recommended Practice (SORP)
- Make judgements and accounting estimates that are reasonable and prudent
- State whether applicable UK accounting standards and statements of recommended practice have been followed, subject to any material expenditures disclosed and explained in the financial statements
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue to operate



## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

***FOR THE YEAR ENDED 31 MARCH 2020***

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The trustees are responsible for keeping adequate accounting records that disclose with reasonable accuracy at any time, the financial position of the charity and to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charity and the group, and hence take reasonable steps for the prevention and detection of fraud and other irregularities. The trustees are responsible for the maintenance and integrity of the corporate and financial information included in the charity's website. Legislation in the UK governing the preparation and dissemination of financial statements may differ from that in other jurisdictions.

In so far as the trustees are aware at the time of approving our trustees' report there is no relevant audit information of which our auditor is unaware, and trustees have taken all steps that they ought to have taken to make them aware of any relevant audit information. It is customary to place a resolution at our AGM proposing the appointment of Geens Ltd as our auditors and trustees will do so in the knowledge stated above.

Approved by the trustees on 7<sup>th</sup> December 2020 and signed on their behalf by:

A handwritten signature in black ink, appearing to read 'D Platt', is written over a light blue rectangular background.

David Platt  
Chairman of Board of Trustees

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

### INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF DOUGLAS MACMILLAN HOSPICE

FOR THE YEAR ENDED 31 MARCH 2020

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#### Opinion

We have audited the financial statements of Douglas Macmillan Hospice and its subsidiaries (the 'group') for the year ended 31 March 2020 which comprise the consolidated statement of financial activities, the consolidated balance sheet, the consolidated cash flow statement and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 *The Financial Reporting Standard applicable in the UK and Republic of Ireland* (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the group's and parent charitable company's affairs as at 31 March 2020, and of the group's incoming resources and application of resources, including its income and expenditure, for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

#### Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the group and parent charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Conclusions relating to going concern

We have nothing to report in respect of the following matters in relation to which the ISAs (UK) require us to report to you where:

- the trustees' use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the trustees have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the group's or parent charitable company's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

#### Other information

The trustees are responsible for the other information. The other information comprises the information included in the trustees' annual report, other than the financial statements and our auditor's report thereon. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

#### Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the trustees' report incorporating the directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the directors' report has been prepared in accordance with applicable legal requirements.

**DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

**INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF DOUGLAS MACMILLAN HOSPICE**

**FOR THE YEAR ENDED 31 MARCH 2020**

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**Matters on which we are required to report by exception**

In the light of our knowledge and understanding of the group and parent charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the directors' report.

We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept by the parent charitable company, or returns adequate for our audit have not been received from branches not visited by us; or
- the parent charitable company's financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit.

**Responsibilities of trustees**

As explained more fully in the trustees' responsibilities statement set out on pages 7 to 8, the trustees (who are also the directors of the charitable company for the purposes of company law) are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the trustees are responsible for assessing the group's and parent charitable company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the trustees either intend to liquidate the group or the parent charitable company or to cease operations, or have no realistic alternative but to do so.

**Auditor's responsibilities for the audit of the financial statements**

We have been appointed auditor under the Companies Act 2006 and report in accordance with this Act.

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of our auditor's report.

**Use of our report**

This report is made solely to the charitable company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charitable member's trustees those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charitable company and the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.



**Mr Steven Archer FCA (Senior Statutory Auditor)**  
**for and on behalf of Geens Limited**

**Chartered Accountants**  
**Statutory Auditor**

7<sup>th</sup> December 2020

68 Liverpool Road  
Stoke on Trent  
Staffordshire  
ST4 1BG

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

**CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES**  
(Including consolidated income and expenditure account)  
**FOR THE YEAR ENDED 31 MARCH 2020**

	Notes	Unrestricted funds £	Designated funds £	Restricted funds £	Total funds £ 2020	Total funds £ 2019
<b><u>Income:</u></b>						
Donations and legacies	2	1,645,377	1,616,171	1,613	3,263,161	4,680,922
Charitable activities	3	2,915,501	-	-	2,915,501	2,960,592
Other trading activities	4	6,239,270	-	-	6,239,270	5,907,688
Investment income	5	198,467	-	-	198,467	207,768
<b>Total income</b>		<b>10,998,615</b>	<b>1,616,171</b>	<b>1,613</b>	<b>12,616,399</b>	<b>13,756,970</b>
<b><u>Expenditure</u></b>						
Costs of raising funds	6	3,386,373	-	-	3,386,373	3,010,187
Charitable activities	7	8,720,001	414,508	440,125	9,574,634	9,428,758
<b>Total expenditure</b>		<b>12,106,374</b>	<b>414,508</b>	<b>440,125</b>	<b>12,961,007</b>	<b>12,438,945</b>
Net gains/ (loss) on investments	16	(577,193)	-	-	(577,193)	230,459
<b>Net income / (expenditure)</b>		<b>(1,684,952)</b>	<b>1,201,663</b>	<b>(438,512)</b>	<b>(921,801)</b>	<b>1,548,484</b>
<b>Transfers between funds</b>	24/25	1,731,282	(1,506,282)	(225,000)	-	-
<b>Other recognised gains and (losses)</b>						
Actuarial gain / (loss) on defined benefit pension schemes	20	(127,000)	-	-	(127,000)	(20,000)
<b>Net movement in funds</b>		<b>(80,670)</b>	<b>(304,619)</b>	<b>(663,512)</b>	<b>(1,048,801)</b>	<b>1,528,484</b>
<b>Reconciliation of funds:</b>						
Fund balances brought forward		1,976,095	10,365,485	890,820	13,232,400	11,703,916
<b>Fund balances carried forward</b>		<b>1,895,425</b>	<b>10,060,866</b>	<b>227,308</b>	<b>12,183,599</b>	<b>13,232,400</b>

All of the above results were derived from continuing operations. All gains and losses recognised in the year are included above.

The notes on pages 14 to 30 form an integral part of these financial statements.

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

## CONSOLIDATED BALANCE SHEET

AS AT 31 MARCH 2020

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
<b>Fixed assets</b>					
Tangible assets	15	5,483,227	5,758,785	5,483,227	5,758,785
Investments	16	5,689,104	6,303,221	5,689,108	6,303,225
		<u>11,172,331</u>	<u>12,062,006</u>	<u>11,172,335</u>	<u>12,062,010</u>
<b>Current assets</b>					
Stocks	17	5,221	13,021	-	-
Debtors	18	1,123,783	1,189,825	1,123,783	1,189,099
Cash at bank and in hand		<u>3,322,779</u>	<u>3,193,225</u>	<u>3,325,841</u>	<u>3,135,711</u>
		<u>4,451,783</u>	<u>4,396,071</u>	<u>4,449,624</u>	<u>4,324,810</u>
<b>Creditors: amounts falling due within one year</b>	19	<u>(1,196,515)</u>	<u>(1,016,677)</u>	<u>(1,220,254)</u>	<u>(971,464)</u>
<b>Net current assets</b>		<u>3,255,268</u>	<u>3,379,394</u>	<u>3,229,370</u>	<u>3,353,346</u>
<b>Total assets less current liabilities being net assets excluding pension liability</b>		<u>14,427,599</u>	<u>15,441,400</u>	<u>14,401,705</u>	<u>15,415,356</u>
<b>Defined benefit pension scheme liability</b>	20	<u>(2,244,000)</u>	<u>(2,209,000)</u>	<u>(2,244,000)</u>	<u>(2,209,000)</u>
<b>Net assets including pension liability</b>		<u><u>12,183,599</u></u>	<u><u>13,232,400</u></u>	<u><u>12,157,705</u></u>	<u><u>13,206,356</u></u>
<b>Funds</b>					
<b>Income funds</b>					
Restricted funds	24	227,308	890,820	227,308	890,820
Unrestricted funds: Designated funds	25	10,060,866	10,365,485	10,060,866	10,365,485
Other charitable funds		<u>4,139,425</u>	<u>4,185,095</u>	<u>4,113,531</u>	<u>4,159,051</u>
<b>Total funds excluding pension reserve</b>		<u>14,427,599</u>	<u>15,441,400</u>	<u>14,401,705</u>	<u>15,415,356</u>
Pension reserve	20	<u>(2,244,000)</u>	<u>(2,209,000)</u>	<u>(2,244,000)</u>	<u>(2,209,000)</u>
<b>Total funds</b>		<u><u>12,183,599</u></u>	<u><u>13,232,400</u></u>	<u><u>12,157,705</u></u>	<u><u>13,206,356</u></u>

The financial statements were approved by the Board on 7th December 2020 and agreed on their behalf by:



Mr D Platt - Chairman

Company Registration No. 03615904 (England &amp; Wales)

The notes on pages 14 to 30 form an integral part of these financial statements.

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

## CONSOLIDATED CASH FLOW STATEMENT

FOR THE YEAR ENDED 31 MARCH 2020

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
<b>Net cash provided by operating activities</b>	27	9,361	2,300,174	69,937	2,380,311
<b>Cash flows from investing activities:</b>					
Dividends, interest and rents from investments		198,467	207,768	198,467	207,768
Purchase of property, plant and equipment		(147,639)	(327,693)	(147,639)	(327,693)
Proceeds from sale of property, plant and equipment		-	-	-	-
Proceeds on sale of investments		2,788,113	1,248,972	2,788,113	1,248,972
Purchase of investments		(2,718,748)	(1,208,300)	(2,718,748)	(1,208,300)
Net cash used in investing activities		120,193	(79,253)	120,193	(79,253)
<b>Change in cash and cash equivalents in the reporting period</b>		129,554	2,220,921	190,130	2,301,058
<b>Cash and cash equivalents at the beginning of the reporting period</b>		3,193,225	972,304	3,135,711	834,653
<b>Cash and cash equivalents at the end of the reporting period</b>		3,322,779	3,193,225	3,325,841	3,135,711

The notes on pages 14 to 30 form an integral part of these financial statements.

**1 Accounting policies**

The principal accounting policies adopted, judgements and key sources of estimation uncertainty in the preparation of the financial statements are as follows:

**1a) Basis of preparation**

The financial statements have been prepared in accordance with the Charity's memorandum and articles of association, the Charities Act 2011 and the Companies Act 2006 and "Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019)". The Charity is a Public Benefit Entity as defined by FRS 102.

The financial statements are prepared on a going concern basis under the historical cost convention, modified to include certain items at fair value. The financial statements are prepared in sterling which is the functional currency of the charity and rounded to the nearest £1.

These group financial statements consolidate the results of the charity and its wholly owned subsidiary undertakings for the year ended 31 March 2020 on a line by line basis. The trading results of the subsidiary undertakings are shown in note 12.

A separate Statement of Financial Activities and Income and Expenditure Account for the charity has not been presented because the Charity has taken advantage of the exemption afforded by section 408 of the Companies Act 2006.

**1b) Fund accounting**

Unrestricted funds are available for use, at the discretion of the trustees, in furtherance of the general objectives of the charity and which have been designated for other purposes:

Restricted funds are funds which are to be used in accordance with specific restrictions imposed by donors, or which have been raised by the charity for particular purposes.

**1c) Income recognition**

All income is included in the Statement of Financial Activities (SOFA) when the charity is legally entitled to the income after any performance conditions have been met, the amount can be measured reliably and it is probable that the income will be received.

For donations to be recognised the charity will have been notified of the amounts and the settlement date in writing. If there are conditions attached to the donation and this requires a level of performance before entitlement can be obtained then income is deferred until those conditions are fully met or the fulfilment of those conditions is within the control of the charity and it is probable that they will be fulfilled.

Donated facilities and donated professional services are recognised in income at their fair value when their economic benefit is probable, it can be measured reliably and the charity has control over the item. Fair value is determined on the basis of the value of the gift to the charity. For example the amount the charity would be willing to pay in the open market for such facilities and services. A corresponding amount is recognised in expenditure.

No amount is included in the financial statements for volunteer time in line with the SORP (FRS 102). Further detail is given in the Trustees' Annual Report.

Gifts in kind donated for resale are included at fair value, being the expected proceeds from sale less the expected costs of sale. Where estimating the fair value is practicable upon receipt it is recognised in stock and 'Income from other trading activities'. Upon sale, the value of the stock is charged against 'Income from other trading activities' and the proceeds are recognised as 'Income from other trading activities'. Where it is impracticable to fair value the items due to the volume of low value items they are not recognised in the financial statements until they are sold. This income is recognised within 'Income from other trading activities'.

Fixed asset gifts in kind are recognised in full when receivable and are included at fair value.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

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**1 Accounting policies (continued)**

**1c) Income recognition (Continued)**

Legacies are recognised when both entitlement to receive the income has been established and when it is probable that the income will be received. Receipt is assessed to be probable when: there has been grant of probate; and the executors have established that there are sufficient assets in the estate, after settling any liabilities, to pay the legacy. Legacies are measured at the fair value of income receivable based on available information.

Income from trading activities includes income earned from fundraising events and trading activities to raise funds for the charity. Income is received in exchange for supplying goods and services in order to raise funds and is recognised when entitlement has occurred.

Investment income is earned through holding assets for investment purposes such as shares and property. It includes dividends, interest and rent. Where it is not practicable to identify investment management costs incurred within a scheme with reasonable accuracy the investment income is reported net of these costs. It is included when the amount can be measured reliably. Interest income is recognised using the effective interest method and dividend and rent income is recognised as the charity's right to receive payment is established.

**1d) Expenditure recognition**

All expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all costs related to the category. Expenditure is recognised where there is a legal or constructive obligation to make payments to third parties, it is probable that the settlement will be required and the amount of the obligation can be measured reliably. It is categorised under the following headings:

- Costs of raising funds includes the expenditure incurred related to fundraising activities and the costs relating to the trading subsidiaries;
- Expenditure on charitable activities includes the expenditure incurred relating to the Inpatient unit, the Medical unit, the Day Hospice, the Community project, the Hospice at Home project, the Social work project, and the Education project; and
- Other expenditure represents those items not falling into the categories above.

Irrecoverable VAT is charged as an expense against the activity for which expenditure arose.

**1e) Support costs allocation**

Support costs are those that assist the work of the charity but do not directly represent charitable activities and include finance costs, governance costs, information technology costs, corporate services, facilities costs, non-attributable depreciation, and general overheads. They are incurred directly in support of expenditure on the objects of the charity. Where support costs cannot be directly attributed to particular headings they have been allocated to expenditure on charitable activities on an apportioned basis related to the expenditure as a percentage of total expenditure.

Fund-raising costs are those incurred in seeking voluntary contributions and do not include the costs of disseminating information in support of the charitable activities.

The analysis of these costs is included in note 8.

**1f) Tangible fixed assets and depreciation**

Tangible fixed assets are stated at cost (or deemed cost) or valuation less accumulated depreciation and accumulated impairment losses. Cost includes costs directly attributable to making the asset capable of operating as intended.



## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**1 Accounting policies (continued)****1f) Tangible fixed assets and depreciation (continued)**

Depreciation is provided on all tangible fixed assets, at rates calculated to write off the cost, less estimated residual value, of each asset on a systematic basis over its expected useful life as follows:

Freehold land is not depreciated	
Freehold buildings	3% p.a. straight line
Fixtures, fittings & equipment	25% p.a. straight line and reducing balance
Motor vehicles	25% p.a. reducing balance

**1g) Stock**

Stock is stated at the lower of cost and estimated selling price less costs to complete and sell. Cost includes all costs of purchase, costs of conversion and other costs incurred in bringing stock to its present location and condition. Cost is calculated using the first-in, first-out formula. Provision is made for damaged, obsolete and slow-moving stock where appropriate.

Donated stocks are fair valued as described in section 1c) above.

**1h) Financial instruments**

The charitable company has elected to apply the provisions of Section 11 'Basic Financial Instruments' and Section 12 'Other Financial Instruments Issues' of FRS 102 to all of its financial instruments.

Financial instruments are recognised in the charitable company's balance sheet when the charitable company becomes party to the contractual provisions of the instrument.

Financial assets and liabilities are offset, with the net amounts presented in the financial statements, when there is a legally enforceable right to set off the recognised amounts and there is an intention to settle on a net basis or to realise the asset and settle the liability simultaneously.

**i) Financial assets**

Basic financial assets, which include debtors, and cash and bank balances, are initially measured at transaction price including transaction costs and are subsequently carried at amortised cost using the effective interest method. Financial assets classified as receivable within one year are not amortised.

Other financial assets, including short term highly liquid investments are initially measured at fair value, with subsequent changes in fair value recognised in the Statement of Financial Activities. These include cash on deposit and cash equivalents with a maturity of less than one year.

Investments in subsidiaries are measured at cost less impairment.

Financial assets measured at amortised cost are assessed for indicators of impairment at each reporting end date. Financial assets are impaired where there is objective evidence that, as a result of one or more events that occurred after the initial recognition of the financial asset, the estimated future cash flows have been affected. If an asset is impaired, the impairment loss is the difference between the carrying amount and the present value of the estimated cash flows discounted at the asset's original effective interest rate. The impairment loss is recognised in the Statement of Financial Activities.

Financial assets are derecognised only when the contractual rights to the cash flows from the asset expire or are settled, or when the charitable company transfers the financial asset and substantially all the risks and rewards of ownership to another entity, or if some significant risks and rewards of ownership are retained but control of the asset has transferred to another party that is able to sell the asset in its entirety to an unrelated third party.

**ii) Financial liabilities**

Financial liabilities and equity instruments are classified according to the substance of the contractual arrangements entered into. An equity instrument is any contract that evidences a residual interest in the assets of the company after deducting all of its liabilities.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

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**1 Accounting policies (continued)**

**1h) Financial instruments (continued)**

Basic financial liabilities, including creditors and loans from fellow group companies that are classified as debt, are initially recognised at transaction price unless the arrangement constitutes a financing transaction, where the debt instrument is measured at the present value of the future payments discounted at a market rate of interest. Financial liabilities classified as payable within one year are not amortised.

Debt instruments are subsequently carried at amortised cost, using the effective interest rate method.

Trade creditors are obligations to pay for goods or services that have been acquired in the ordinary course of business from suppliers. Amounts payable are classified as current liabilities if payment is due within one year or less. Trade creditors are recognised initially at transaction price and subsequently measured at amortised cost using the effective interest method.

Financial liabilities are derecognised when the company's contractual obligations expire or are discharged or cancelled.

**1i) Provisions**

Provisions are recognised when the charity has an obligation at the balance sheet date as a result of a past event, it is probable that an outflow of economic benefits will be required in settlement and the amount can be reliably estimated.

**1j) Leases**

Assets acquired under finance leases are capitalised and depreciated over the shorter of the lease term and the expected useful life of the asset. Minimum lease payments are apportioned between the finance charge and the reduction of the outstanding lease liability using the effective interest method. The related obligations, net of future finance charges, are included in creditors.

Rentals payable and receivable under operating leases are charged to the SOFA on a straight line basis over the period of the lease.

**1k) Pensions**

When employees have rendered service to the charity, short-term employee benefits to which the employees are entitled are recognised at the undiscounted amount expected to be paid in exchange for that service.

The charity operates a defined contribution plan for the benefit of its employees. Contributions are expensed as they become payable.

The charity also operates a defined benefit scheme which is closed to new members. The contributions made to the scheme are as recommended by the Scheme Trustees and the independent actuary. The regular cost of providing retirement pensions and related benefits is charged to the statement of financial activities over the employees' service lives on the basis of a constant percentage of earnings.

**1l) Tax**

The charity is an exempt charity within the meaning of schedule 3 of the Charities Act 2011 and is considered to pass the tests set out in Paragraph 1 Schedule 6 Finance Act 2010 and therefore it meets the definition of a charitable company for UK corporation tax purposes.

**1m) Going concern**

At the time of approving the financial statements the Trustees have a reasonable expectation that the charity has adequate resources to continue in operational existence for the foreseeable future and not less than one year from the date of approval. The Trustees and executive team are constantly monitoring the position of the charity and the ongoing uncertain situation in respect of COVID-19 and are taking actions to minimise the effect of the pandemic on the long-term reserves. Since the year end a significant value of additional government grant funding has been secured to cover some of the expected losses in income. In addition to this the Hospice has significant cash reserves and investments. Under all scenarios reviewed, the Hospice has sufficient reserves to enable it to continue as a going concern for the foreseeable future. For this reason it continues to adopt the going concern basis in preparing the financial statements.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**2 Donations and legacies**

	Unrestricted funds	Designated funds	Restricted funds	Total 2020	Total 2019
	£	£	£	£	£
Donations and gifts	1,591,689	-	1,613	1,593,302	2,448,875
Legacies	-	1,616,171	-	1,616,171	2,178,359
Department of Health	53,688	-	-	53,688	53,688
	<u>1,645,377</u>	<u>1,616,171</u>	<u>1,613</u>	<u>3,263,161</u>	<u>4,680,922</u>

**For the year ended 31 March 2019**

Unrestricted funds	1,547,454
Designated funds	2,177,219
Restricted funds	956,249
	<u>4,680,922</u>

Included within 2018/19 restricted funds was a donation of £950,100 for the refurbishment and modernisation of the inpatient unit. Due to accounting standards the associated costs of the refurbishment are expensed as the work is done. Refurbishment expenditure of £475,368 has been expensed in the 2018/19 accounts and a further £440,125 has been expensed in the 2019/20 accounts.

**3 Income from charitable activities**

	Unrestricted funds	Designated funds	Restricted funds	Total 2020	Total 2019
	£	£	£	£	£
Charitable activities	<u>2,915,501</u>	<u>-</u>	<u>-</u>	<u>2,915,501</u>	<u>2,960,592</u>

Included within income relating to charitable activities are: Clinical Commissioning Group 2,378,311 2,372,656

**For the year ended 31 March 2019**

Unrestricted funds	2,960,592
Designated funds	-
Restricted funds	-
	<u>2,960,592</u>

**4 Income from other trading activities**

	Unrestricted funds	Designated funds	Restricted funds	Total 2020	Total 2019
	£	£	£	£	£
Fundraising events	1,357,801	-	-	1,357,801	1,205,891
Income from commercial activities:					
- Charity shops	3,335,581	-	-	3,335,581	3,195,954
- Lottery	1,545,888	-	-	1,545,888	1,505,843
	<u>6,239,270</u>	<u>-</u>	<u>-</u>	<u>6,239,270</u>	<u>5,907,688</u>

**For the year ended 31 March 2019**

Unrestricted funds	5,907,688
Designated funds	-
Restricted funds	-
	<u>5,907,688</u>

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

5	Investment income	2020 £	2019 £
	Income from listed investments	181,926	201,466
	Interest receivable	16,541	6,302
		<u>198,467</u>	<u>207,768</u>

**For the year ended 31 March 2019**

Unrestricted funds	207,768
Designated funds	-
Restricted funds	-
	<u>207,768</u>

## 6 Analysis of costs of raising funds

	Direct costs £	Support costs £	Total 2020 £	Total 2019 £
Fundraising Costs	651,503	-	651,503	590,864
Costs of commercial activities:				
- Charity shops	2,055,481	-	2,055,481	1,784,188
- Lottery	679,389	-	679,389	635,135
	<u>3,386,373</u>	<u>-</u>	<u>3,386,373</u>	<u>3,010,187</u>

**For the year ended 31 March 2019**

Unrestricted funds	3,010,187
Designated funds	-
Restricted funds	-
	<u>3,010,187</u>

## 7 Analysis of expenditure on charitable activities

	Direct costs £	Support costs £	Total 2020 £	Total 2019 £
Inpatient	2,680,314	1,681,897	4,362,211	4,151,482
Medical	518,765	261,207	779,972	888,247
Day hospice	453,284	216,349	669,633	667,741
Community	1,578,983	772,750	2,351,733	2,238,803
Hospice at home	523,952	253,116	777,068	822,231
Social work	373,400	182,697	556,097	583,560
Education	52,081	25,839	77,920	76,694
	<u>6,180,779</u>	<u>3,393,855</u>	<u>9,574,634</u>	<u>9,428,758</u>
Unrestricted funds			8,720,001	8,533,395
Designated funds			414,508	419,104
Restricted funds			440,125	476,259
			<u>9,574,634</u>	<u>9,428,758</u>

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

## 8 Allocation of support costs

	Inpatient £	Medical £	Day Hospice £	Community £
Governance	48,419	9,905	8,351	29,577
Finance	173,505	36,713	30,295	108,399
Information technology	156,488	32,284	27,072	96,132
Corporate services	233,250	48,588	40,494	144,210
Facilities	691,785	53,392	43,984	157,507
Depreciation	177,977	35,394	30,387	106,717
General overheads	181,691	39,980	32,190	116,544
Defined benefit pension shortfall contributions	18,782	4,951	3,576	13,664
	<u>1,681,897</u>	<u>261,207</u>	<u>216,349</u>	<u>772,750</u>

## Allocation of support costs (Continued)

	Hospice at home £	Social work £	Education £	Total 2020 £
Governance	9,730	6,993	985	113,960
Finance	35,474	25,628	3,628	413,642
Information technology	31,583	22,729	3,205	369,493
Corporate services	47,308	34,096	4,815	552,761
Facilities	51,523	37,238	5,275	1,040,704
Depreciation	35,262	25,235	3,536	414,508
General overheads	37,910	27,550	3,923	439,788
Defined benefit shortfall contributions	4,326	3,228	472	48,999
	<u>253,116</u>	<u>182,697</u>	<u>25,839</u>	<u>3,393,855</u>

Support costs are allocated in proportion to total expenditure. Salary, wages and related costs are allocated to the charitable activities undertaken on the basis of the direct salary, wages and related costs incurred by each charitable activities. Other non-salary support costs are allocated to the charitable activities undertaken on the basis of the total salary costs and direct costs incurred by each charitable activity.

## 9 Analysis of governance costs

		2020 £	2019 £
Salaries, wages and related costs	Allocated on time basis	33,968	30,055
Audit fees (parent company)	Cost incurred	9,000	7,500
Premises costs	1.125% of total premises costs	21,724	18,938
Overheads	10% of overheads not included above	49,268	43,670
		<u>113,960</u>	<u>100,163</u>

## 10 Net income / (expenditure) for the year

	2020 £	2019 £
Net income / (expenditure) is stated after charging:		
Depreciation	414,508	419,104
Loss on disposal of tangible fixed assets	6,690	85,968
Auditors' remuneration (group) - audit services	14,295	14,200
Auditors' remuneration (group) - non audit services	3,360	3,300
Operating lease charges - buildings	<u>271,628</u>	<u>258,265</u>

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

11	Financial activities of the charity	2020 £	2019 £
	Gross income	11,900,940	13,089,484
	Total expenditure on charitable activities	(9,666,637)	(9,488,758)
	Fundraising costs	(2,670,761)	(2,331,641)
	Unrealised gains/ (losses) on investment assets	(577,193)	230,459
	Net income/ (expenditure)	(1,013,651)	1,499,544
	Total funds brought forward excluding pension reserve	15,415,356	13,915,812
	Total funds carried forward excluding pension reserve	14,401,705	15,415,356
	Represented by:		
	Unrestricted income funds	4,113,531	4,159,051
	Designated income funds	10,060,866	10,365,485
	Restricted income funds	227,308	890,820
		14,401,705	15,415,356

## 12 Trading subsidiaries

The charity controls the companies listed below by virtue of holding a controlling interest in the equity share capital:-

Name of subsidiary	Country of incorporation	% of equity share capital held
Douglas Macmillan Hospice Staffordshire Enterprises Limited	England & Wales	100
Douglas Macmillan Hospice Staffordshire Lotteries Limited	England & Wales	100

## Douglas Macmillan Hospice Staffordshire Enterprises Limited

## Summary of trading results

	2020 £	2019 Restated £
Turnover	62,117	69,456
Total expenditure	(36,223)	(43,410)
Profit for the year	25,894	26,046

The turnover from this entity is consolidated within total charity shop income reported in note 4 of these accounts.

All profits in this subsidiary are distributed to Douglas Macmillan Hospice after the year end.

The assets and liabilities of the Douglas Macmillan Hospice Staffordshire Enterprises Limited were:

Assets	33,089	32,858
Liabilities	(7,193)	(6,810)
Funds	25,896	26,048

## Douglas Macmillan Hospice Staffordshire Lotteries Limited

## Summary of trading results

	2020 £	2019 Restated £
Turnover	1,545,888	1,505,843
Total expenditure	(679,389)	(635,135)
Profit for the year	866,499	870,708

The assets and liabilities of the Douglas Macmillan Hospice Staffordshire Lotteries Limited were:

Assets	1,187,041	1,132,970
Liabilities	(320,540)	(262,260)
Funds	866,501	870,710

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**13 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel**

The total staff costs and employees benefits were:

	<b>2020</b>	<b>2019</b>
	<b>£</b>	<b>£</b>
Wages and salaries	7,740,676	7,307,108
Social security costs	642,847	598,707
Pension costs	1,056,432	916,801
	<u>9,439,955</u>	<u>8,822,616</u>

The number of employees who received total employee benefits (excluding employer pension costs) of more than £60,000 is as follows:

	<b>2020</b>	<b>2019</b>
	<b>Number</b>	<b>Number</b>
£60,001 to £70,000	5	-
£70,001 to £80,000	-	-
£80,001 to £90,000	1	2
£90,001 to £100,000	-	-
£100,001 to £110,000	1	2
£110,001 to £120,000	-	-
£120,001 to £130,000	<u>1</u>	<u>-</u>

The average monthly number of employees and full time equivalent (FTE) during the year was as follows:

	<b>2020</b>	<b>2020</b>	<b>2019</b>	<b>2019</b>
	<b>Number</b>	<b>FTE</b>	<b>Number</b>	<b>FTE</b>
Raising funds	103	86	86	71
Charitable activities	239	202	241	200
Governance	1	1	1	1
	<u>343</u>	<u>289</u>	<u>328</u>	<u>272</u>

The key management personnel of the charity comprise the members of its executive management team. The total employee benefits of the key management personnel of the charity were £424,799 (2019: £441,816).

The trustees neither received nor waived any remuneration during the year (2019:£Nil).

The trustees did not have any expenses reimbursed during the year (2019:£Nil).

The charity has received no donations with conditions from the trustees during the year (2019:£Nil).

**14 Pension costs**  
**FPS defined benefit scheme**

The charity contributes to a defined benefit scheme and the details are in note 20.

Contributions are made in accordance with the annual recommendations of a qualified independent actuary.

The contributions to this scheme in the year were £67,741 (2019: £67,088). Also during the year shortfall payments in respect of a recovery plan have been paid totalling £141,000 (2019: £141,000).

Contributions are also made to a second plan (FPS Federated Flexiplan) in accordance with actuarial recommendations.

**NHS defined benefit scheme**

The charity also contributes to the NHS Pension Scheme, which is an unfunded, defined benefit scheme that covers NHS employers, General Practices and other bodies, allowed under the direction of the Secretary of State, in England and Wales. The scheme is not designed to be run in a way that would enable NHS bodies to identify their share of the underlying scheme assets and liabilities. Therefore, the scheme is accounted for as if it were a defined contribution scheme: the cost to the NHS body of participating in the scheme is taken as equal to the contributions payable to the scheme for the accounting period.

A valuation of scheme liability is carried out annually by the scheme actuary (currently the Government Actuary's Department) as at the end of the reporting period. This utilises an actuarial assessment for the previous accounting period in conjunction with updated membership and financial data for the current reporting period, and are accepted as providing suitably robust figures for financial reporting purposes. The valuation of scheme liability as at 31 March 2020, is based on valuation data as At 31 March 2019, updated to 31 March 2020 with summary global member and accounting data. In undertaking this actuarial assessment, the methodology prescribed in IAS 19, relevant FReM interpretations, and the discount rate prescribed by HM Treasury have also been used.

The contributions to this scheme in the year were £304,347 (2019: £264,740).

**Aviva/Nest defined contribution schemes**

The charity also contributes to defined contribution schemes in respect of employees who do not qualify for the FPS scheme or the NHS scheme.

The contributions to these schemes in the year were £546,593 (2019: £431,359).



## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

15	Tangible fixed assets Group and company	Land and buildings	Fixtures, fittings & equipment	Total
		£	£	£
	<b>Cost</b>			
	At 1 April 2019	8,437,663	1,446,471	9,884,134
	Additions	8,719	138,920	147,639
	Disposals	-	(65,434)	(65,434)
	At 31 March 2020	8,446,382	1,519,957	9,966,339
	<b>Depreciation</b>			
	At 1 April 2019	3,052,953	1,072,396	4,125,349
	Charge for the year	263,828	150,680	414,508
	Disposals	-	(56,745)	(56,745)
	At 31 March 2020	3,316,781	1,166,331	4,483,112
	<b>Net book value</b>			
	At 31 March 2020	5,129,601	353,626	5,483,227
	At 31 March 2019	5,384,710	374,075	5,758,785

16	Fixed asset investments	Cash	Listed inv.	Total	2019
		£	£	£	£
	Market value at 1 April 2019	95,793	6,207,428	6,303,221	6,116,065
	Additions at cost	(2,718,748)	2,718,748	-	-
	Disposals at carrying value	2,788,113	(2,788,113)	-	(7,690)
	Change in value in the year	-	(577,193)	(577,193)	230,459
	Other movement in cash balance	(36,924)	-	(36,924)	(35,613)
	Market value at 31 March 2020	128,234	5,560,870	5,689,104	6,303,221
	Historical cost at 31 March 2020	128,234	6,227,201	6,355,435	6,335,514

The following investments made up more than 5% each of the total market value of listed investments or bonds at 31 March 2020:

	2020	2019
	£	£
Allianz GLB Invest Gilt Yield	350,481	318,226
BNY Mellon FD MNGR Newton Asian Inc	235,804	362,968
Maitland Institutional Services MI select Managers Fund	429,598	-
Vanguard Funds PLC S&P 500	600,401	547,479

Summary of Investments	Group	Charity
	2020	2019
	£	£
Investment in subsidiary companies	-	-
Other investments	5,689,104	6,303,221
	5,689,104	6,303,221

The outbreak of the COVID-19 pandemic and the associated government measures to control the virus have had a significant impact on the market value of listed investments which lost £577,193 of value during the year. Since the year end the value of investments has recovered and as at 30 September 2020 the value had increased to £6,415,787. The listed investments market continues to be volatile and valuations may continue to fluctuate.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

17	Stock	Group		Charity	
		2020	2019	2020	2019
		£	£	£	£
	Stock in hand	5,221	13,021	-	-
		5,221	13,021	-	-
18	Debtors	Group		Charity	
		2020	2019	2020	2019
		£	£	£	£
	Trade debtors	1,221	42,102	1,221	41,376
	Amounts owed by subsidiary undertakings	-	-	-	-
	Other debtors	1,104,180	1,119,104	1,104,180	1,119,104
	Prepayments and accrued income	18,382	28,619	18,382	28,619
		1,123,783	1,189,825	1,123,783	1,189,099
19	Creditors: amounts falling due within one year	Group		Charity	
		2020	2019	2020	2019
		£	£	£	£
	Trade creditors	140,334	140,318	130,885	136,391
	Amounts owed to subsidiary undertakings	-	-	324,067	219,735
	Other creditors	400,568	361,705	116,240	106,334
	Taxes and social security	160,696	154,715	160,696	154,715
	Accruals and deferred income	494,917	359,939	488,366	354,289
		1,196,515	1,016,677	1,220,254	971,464
20	Pension and other post-retirement benefit commitments				
		Employee benefit obligations			
		Defined benefit pension plans			
	a) The amounts recognised in the balance sheet are as follows:	2020		2019	
		£		£	
	Present value of funded obligations	10,841,000		11,527,000	
	Fair value of plan assets	(8,597,000)		(9,318,000)	
	Deficit	2,244,000		2,209,000	
	Present value of unfunded obligations	-		-	
	Unrecognised past service cost	-		-	
	Irrecoverable surplus	-		-	
	Net pension liability recognised before tax	2,244,000		2,209,000	
	b) The amounts recognised in the statement of financial activities are as follows:				
	Current service cost included in staff costs within total resources expended	-		93,000	
	Past service cost	-		7,000	
		-		100,000	
	Net pension finance costs included within total resources expended:				
	Interest on obligation	258,000		275,000	
	Expected return on pension scheme assets	(209,000)		(220,000)	
		49,000		55,000	
	Total	49,000		155,000	
	Actual return on scheme assets over the period	(281,000)		568,000	

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

## 20 Pension and other post-retirement benefit commitments (continued)

## c) Included with other recognised gains and losses:

	2020	2019
	£	£
Return on assets, excluding interest income	(490,000)	348,000
Impact of surplus restrictions	-	-
Change in irrecoverable surplus	-	-
Actuarial gains/(losses) on liabilities	363,000	(368,000)
	<u>(127,000)</u>	<u>(20,000)</u>

## d) Changes in the present value of the scheme liabilities:

	2020	2019
	£	£
Opening liabilities	11,527,000	11,149,000
Current service cost	-	93,000
Past service cost	-	7,000
Interest cost	258,000	275,000
Contribution by scheme participants	-	21,000
Actuarial (gains) / Losses	(363,000)	368,000
Benefits paid	(581,000)	(386,000)
	<u>10,841,000</u>	<u>11,527,000</u>

## e) Changes in fair value of the scheme assets:

	£	£
Opening fair value of scheme assets	9,318,000	8,900,000
Expected return	209,000	220,000
Actuarial gains	(490,000)	348,000
Contributions by employer	141,000	215,000
Contributions from scheme participants	-	21,000
Benefits paid	(581,000)	(386,000)
	<u>8,597,000</u>	<u>9,318,000</u>

## f) The major categories of scheme assets are as follows:

	2020	2019
	£	£
Equity	2,690,000	3,148,000
Bonds	1,438,000	1,435,000
Diversified funds	3,073,000	3,324,000
LDI	1,357,000	1,331,000
Cash	15,000	63,000
Annuity contracts	24,000	17,000
	<u>8,597,000</u>	<u>9,318,000</u>

## g) Principal actuarial assumptions used by the actuary the balance sheet date

	2020	2019
	%	%
Discount rate at 31 March	2.30	2.30
Rate of inflation (RPI)	2.90	3.10
Rate of inflation (CPI)	2.20	2.30
Rate of salary increase	2.50	2.50
Rate of increase to pensions in payment		
- Pre 1997 (Discretionary)	0.00	0.00
- 1997 - 2009 (RPI max 5%)	2.90	3.00
- Post 2009 (RPI max 2.5%)	2.10	2.10

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**20 Pension and other post-retirement benefit commitments (continued)****g) Principal actuarial assumptions used by the actuary the balance sheet date (continued)**

Expected life expectancies on retirement at age 65 are:

	<b>2020 Years</b>	<b>2019 Years</b>
Males retiring immediately	19.80	20.30
Females retiring immediately	23.10	23.50
Males retiring in 20 years time	21.70	22.20
Females retiring in 20 years time	25.00	25.40

**21 Financial commitments****Commitments under operating leases**

As at 31 March 2020 the group was committed to making the following payments under non-cancellable operating leases as set out below:

	<b>2020 Land &amp; buildings £</b>	<b>2020 Other £</b>	<b>2019 Land &amp; buildings £</b>	<b>2019 Other £</b>
<b>Group:</b>				
Operating leases which expire:				
Within one year	6,750	6,655	7,366	-
Between two and five years	663,643	8,043	489,572	18,365
After five years	136,667	-	160,000	-
	<u>807,060</u>	<u>14,698</u>	<u>656,938</u>	<u>18,365</u>
	<b>2020 Land &amp; buildings £</b>	<b>2020 Other £</b>	<b>2019 Land &amp; buildings £</b>	<b>2019 Other £</b>
<b>Company:</b>				
Operating leases which expire:				
Within one year	6,750	6,655	2,000	-
Between two and five years	602,497	8,043	298,212	18,365
After five years	136,917	-	160,000	-
	<u>746,164</u>	<u>14,698</u>	<u>460,212</u>	<u>18,365</u>

**22 Capital commitments**

	<b>Group and Company 2020 £</b>	<b>Group and Company 2019 £</b>
Contracted, not provided for	-	474,732
	<u>-</u>	<u>474,732</u>

The Hospice was committed to the refurbishment and modernisation of the Inpatient Unit as at 31 March 2019.

**23 Company limited by guarantee**

Douglas Macmillan Hospice is a company limited by guarantee and accordingly does not have a share capital. Every member of the company undertakes to contribute such amount as may be required not exceeding £10 to the assets of the charitable company in the event of its being wound up while he or she is a member, or within one year after he or she ceases to be a member.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**24 Restricted funds**

The income funds of the charity include restricted funds comprising the following unexpended balances of donations and grants held for specific purposes:

	Movement in funds				
	Balances at 1 April 2019	Incoming resources	Resources expended	Transfers	Balances at 31 March 2020
	£	£	£	£	£
Inpatient unit refurbishment	474,732	-	(440,125)	-	34,607
Other specific purposes	416,088	1,613	-	(225,000)	192,701
	890,820	1,613	(440,125)	(225,000)	227,308

**Purposes of the funds**

The inpatient unit refurbishment fund represents donations received for refurbishment and modernisation of the inpatient unit.

Specific purposes represents various donations made where the donors have asked that the monies be utilised to fund a specific aspect of the hospice's activities or to purchase particular items of equipment.

**25 Designated funds**

The income funds of the charity includes the following designated funds which have been set aside out of unrestricted funds by the trustees for specific purposes:

	Movement in funds				
	Balances at 1 April 2019	Incoming resources	Resources expended	Transfers	Balances at 31 March 2020
	£	£	£	£	£
Fixed assets fund	5,758,785	-	(414,508)	138,950	5,483,227
Legacy equalisation fund	4,606,700	1,616,171	-	(1,645,232)	4,577,639
	10,365,485	1,616,171	(414,508)	(1,506,282)	10,060,866

The fixed assets fund has been set up to assist in identifying those funds that are not free funds and it represents the net book value of all assets.

The legacy equalisation fund has been designated by the trustees to provide for expenditure in future years. The trustees recognise the unpredictable nature of this source of income and have set aside funds to provide for expenditure not covered by income from other sources.

The transfer to the fixed asset fund is in respect of fixed asset additions in the year now designated by the trustees as part of the fixed asset fund and also fixed assets transferred from restricted funds.

The transfer from the legacy fund is to reflect the amount transferred to unrestricted income previously designated by the trustees. The amount is calculated on the multi year average of legacy income.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

## 26 Analysis of group net assets between funds

	Unrestricted funds £	Designated funds £	Restricted funds £	Total £
Fund balances at 31 March 2020 are represented by:				
Tangible fixed assets	-	5,483,227	-	5,483,227
Investments	2,347,681	3,341,423	-	5,689,104
Current assets	2,988,259	1,236,216	227,308	4,451,783
Current liabilities	(1,196,515)	-	-	(1,196,515)
	4,139,425	10,060,866	227,308	14,427,599
Pension reserve	(2,244,000)	-	-	(2,244,000)
Group net assets	1,895,425	10,060,866	227,308	12,183,599

## 27 Reconciliation of net movement in funds to net cash flow from operating activities

	Group 2020 £	2019 £	Charity 2020 £	2019 £
Net income for the reporting period	(1,048,801)	1,528,484	(1,048,651)	1,539,543
<b>Adjustments for:</b>				
Depreciation charges	414,508	419,104	414,508	419,104
Loss on disposal of tangible fixed assets	8,689	85,967	8,689	85,967
Loss on disposal of investments	-	7,690	-	7,690
Increase in investment cash balance	(32,441)	(5,059)	(32,441)	(5,059)
(Gains)/ losses on investments	577,193	(230,459)	577,193	(230,459)
Actuarial losses	127,000	20,000	127,000	20,000
Dividends, interest and rents from investments	(198,467)	(207,768)	(198,467)	(207,768)
Difference between pension charge and cash contributions	(92,000)	(60,000)	(92,000)	(60,000)
(Increase)/ decrease in stocks	7,800	(4,090)	-	-
Decrease in debtors	66,042	266,357	65,316	264,773
Increase in creditors	179,838	479,948	248,790	546,520
<b>Net cash provided by operating activities</b>	<b>9,361</b>	<b>2,300,174</b>	<b>69,937</b>	<b>2,380,311</b>

## 28 Analysis of net cash balances

	1 April 2019 £	Cash flow £	Non-cash changes £	31 March 2020 £
Cash at bank and in hand	3,193,225	129,554	-	3,322,779
Fixed asset investments	6,303,221	(36,924)	(577,193)	5,689,104
	9,496,446	92,630	(577,193)	9,011,883

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**29 Financial instruments**

The carrying amounts of the charity's financial instruments are as follows:

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
<b>Financial assets</b>					
Measured at fair value through net income / expenditure:					
Fixed asset listed investments	16	5,689,104	6,303,221	5,689,108	6,303,225
Debt instruments measured at amortised cost:					
Trade debtors	18	1,221	42,102	1,221	41,376
Other debtors	18	1,104,180	1,119,104	1,104,180	1,119,104
		1,105,401	1,161,206	1,105,401	1,160,480
<b>Financial liabilities</b>					
Measured at amortised cost					
Trade creditors	19	140,334	140,318	130,885	136,391
Amounts owed to subsidiary undertakings	19	-	-	324,067	219,735
Other creditors	19	400,568	361,705	116,240	106,334
Taxes and social security	19	160,696	154,715	160,696	154,715
Accruals and deferred income	19	494,917	359,939	488,366	354,289
		1,196,515	1,016,677	1,220,254	971,464

The income, expenses, net gains and net losses attributable to the charity's financial instruments are summarised as follows:

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
Financial assets measured at fair value through net income / expenditure	16	(577,193)	230,459	(577,193)	230,459

**30 Funds held on behalf of third Parties**

Douglas Macmillan Hospice is providing administrative services to Symptom Control in Palliative Care. As part of this service Douglas Macmillan Hospice receives an administration fee.

Neither income nor the expenditure (with the exception of the administrative fee income) has been accounted for in the Statement of Financial Activities. Balances held in these bank accounts at the year end do not form part of the charity's assets and are not included in the balance sheet.

**31 Related party transactions**

There were no related party transactions during the year (2019: £Nil).

**32 Post-balance sheet events**

The outbreak of the coronavirus and the associated government measures to control the virus have had a significant impact on operations since 31 March 2020, as described in the Trustees' Report.

There are no amounts that are, or are required to be, reflected in these accounts in respect of the impact of the pandemic on operations.

### **Introduction**

1. This report undertakes a review of the Council's Standing Orders Related to Council Business (Standing Orders).
2. In accordance with normal practice, this review should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

### **Background**

3. It is good practice to review the Council's Standing Orders on a regular basis. The last review was undertaken in June 2019 and a number of changes have taken place since then, including Brexit and the pandemic.
4. A draft updated version of Standing Orders is attached. The revisions made are generally in respect of updated regulations and the consolidation, where appropriate, of temporary changes made during the pandemic. These changes are explained below.
5. There have also been some revisions made to improve English and readability which have no other material effect on the document.

### **Revisions**

6. The main proposed changes to Standing Orders are set out below.
7. **Standing Order 6.3b** – This relates to the location of meetings and has been updated to allow the Town Clerk to determine the location of meetings if a good reason exists not to hold the meetings in their originally planned location. It includes the conversion of previously planned physical meetings to online meetings, where permitted by law, and vice versa.
8. **Standing Orders 10.8 and 10.9** – These revisions consolidate the changes to dealing with urgent matters that have been in practice during the pandemic. They including the procedure for dealing with urgent planning matters, which have become more common since the Planning Consultative Committee has moved to monthly meetings.
9. **Standing Order 16.2a** – Serving notice on Councillors by email to attend meetings has been added.
10. **Standing Order 18.5** – The Standing Order now allows for dates other than 30<sup>th</sup> June for the accounts submission deadline if specified in national Regulations.



11. **Standing Order 19.5** – This is related to procurement, and has been updated to reflect Britain's exit from the European Union and the latest contract threshold figures.

### **Conclusions**

12. This report has considered the Council's Standing Orders Related to Council Business and made recommendation for updating them for consideration by the Committee.
13. In accordance with normal practice, these recommendations should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

### **Recommendations**

14. The Committee is recommended to:
- a. Update the Council's Standing Orders Related to Council Business in accordance with the proposed revisions contained in this report.
  - b. Consider any other changes that it would want to make to Standing Orders.

# Stone

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## Town Council



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### Standing Orders

### Related to Council Business

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September 2021

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# 1 GENERAL

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- 1.1 These standing orders govern the conduct of the business of the Council and may only be amended or varied by resolution of the Council<sup>1</sup>.
- 1.2 Should there be a clash between the provisions of this document and those within other documents which prescribe the activities of the Council, the order of precedence shall be:
  - a. National Legislation
  - b. The Council's Standing Orders (this document)
  - c. All other documents
- 1.3 All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting. *(NOTE: Where a standing order incorporates a mandatory statutory requirement, the requirement and the circumstances in which the requirement applies is indicated in brackets following the relevant standing order below. This does not indicate that the application of the standing order is limited only to those circumstances, but just indicates the extent to which the standing order can be suspended by this provision).*
- 1.4 A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least three councillors to be given to the Proper Officer in accordance with standing order 10 below.
- 1.5 The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after they have delivered their acceptance of office form.
- 1.6 The decision of the chairman<sup>2</sup> of a meeting as to the application of standing orders at the meeting shall be final.

# 2 RULES OF DEBATE AT MEETINGS

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- 2.1 Items on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- 2.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 2.3 A motion on the agenda that is not moved by its proposer will be treated by the chairman of the meeting as withdrawn.
- 2.4 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder.

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<sup>1</sup> All references to "the Council" in this document shall also be considered to refer to the General Purposes Committee for functions which have been delegated to that Committee.

<sup>2</sup> All references to "Chairman" and "Vice-Chairman" shall be considered to refer to the Town Mayor and Deputy Town Mayor in respect of a full Council meeting.

- 2.5 The mover of a motion shall have a right to reply, not exceeding five minutes, at the conclusion of the debate immediately before the motion is put to the vote. No further debate shall take place once this right to reply has been exercised.
- 2.6 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 2.7 If an amendment to the original motion is carried, the amendment becomes the substantive motion upon which further amendment(s) may be moved.
- 2.8 An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- 2.9 A councillor may make an amendment to their own motion. If a motion has already been seconded, the amendment shall require the consent of the seconder.
- 2.10 Subject to standing order 2.11 below, if there is more than one amendment to an original or substantive motion only one amendment shall be moved and debated at a time, in the order directed by the chairman of the meeting.
- 2.11 In exceptional circumstances, several amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- 2.12 A councillor may not move more than one amendment to an original or substantive motion.
- 2.13 The mover of an amendment has no right of reply at the end of debate on it.
- 2.14 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.
- 2.15 Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
- a. to speak on an amendment moved by another councillor;
  - b. to move or speak on another amendment if the motion has been amended since they last spoke;
  - c. to make a point of order;
  - d. to give a personal explanation; or
  - e. in exercise of a right of reply.
- 2.16 During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- 2.17 A point of order shall be decided by the chairman of the meeting, whose decision shall be final.
- 2.18 When a motion is under debate, no other motion shall be moved except:

- a. to amend the motion;
- b. to proceed to the next business;
- c. to adjourn the debate;
- d. to put the motion to a vote;
- e. to ask a person to be no longer heard or to leave the meeting;
- f. to refer a motion to a committee or sub-committee for consideration;
- g. to exclude the public and press;
- h. to adjourn the meeting; or
- i. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

- 2.19 Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that sufficient information is available to make a sound decision, the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
- 2.20 Excluding motions moved under standing order 2.18 above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the chairman of the meeting.

### 3 DISORDERLY CONDUCT AT MEETINGS

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- 3.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- 3.2 If these person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 3.3 If a resolution made under standing order 3.2 above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### 4 MEETINGS GENERALLY

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- 4.1 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. *(Mandatory: Council only)*
- 4.2 Public notice of the time and place of meeting shall be given by posting it outside the Council's offices at least three days before the meeting. 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. *(Mandatory: Council. For committees, the minimum three clear days' public notice for a meeting does not include the*

*day on which the notice was issued or the day of the meeting. There are no mandatory requirements for sub-committees)*

- 4.3 Meetings of the Council, committees and sub-committees 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.  
(Mandatory: Council and Committees)
- 4.4 Subject to standing order 4.3 above and the provisions of the Council's scheme of public participation, members of the public are permitted to:
- a. Make representations or raise issues at any ordinary Council meeting in relation to the work of the Council.
  - b. Raise issues at any ordinary committee or sub-committee meeting related to items of business on the agenda.
  - c. Present petitions at any ordinary Council meeting on issues within the Council's remit.
- 4.5 Subject to standing order 4.4, no more than two members of the public are entitled to speak at any full Council meeting, and shall each shall speak once only, for not more than 10 minutes. Where more than two members of the public have requested to speak, the Proper Officer shall determine which requests shall have preference, based on their relevance to the meeting, the urgency of the matter to be raised and the time that the request was received.
- 4.6 In accordance with standing order 4.4 above, a question asked by a member of the public during a public participation session at a full Council meeting shall not require a response at the meeting nor start a debate on the question.
- 4.7 In accordance with standing order 4.6 above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response, to a committee or sub-committee for further consideration or to an employee for a written or oral response.
- 4.8 Subject to standing order 4.4, no more than four members of the public are entitled to speak at any committee or sub-committee meeting, and shall each shall speak once only, for not more than three minutes (five minutes if there are two or less speakers). Where more than four members of the public have requested to speak, the Proper Officer shall determine which requests shall have preference, based on their relevance to the meeting, the urgency of the matter to be raised and the time that the request was received.
- 4.9 No response shall be made to a public submission made under paragraph 4.8 above, nor any debate entered into, as the item will be fully debated when the agenda item itself is considered.
- 4.10 A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 4.11 A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.

- 4.12 A person who speaks at a meeting shall direct their comments to the chairman of the meeting.
- 4.13 Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- 4.14 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. *(Mandatory: Council and Committees)*
- 4.15 Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council. *(Mandatory: Council)*
- 4.16 The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting. *(Mandatory: Council)*
- 4.17 Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting. *(Mandatory)*
- 4.18 The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote. *See standing orders 6.8 and 6.9 below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council. (Mandatory)*
- 4.19 Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, their own vote will be recorded in the minutes. Such a request shall be made before moving on to the next item of business on the agenda.
- 4.20 In addition, any councillor may request that 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.
- 4.21 The minutes of a meeting shall include an accurate record of the following:
- a. the time and place of the meeting;
  - b. the names of councillors present and absent;
  - c. interests that have been declared by councillors and non-councillors with voting rights;
  - d. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - e. if there was a public participation session; and
  - f. the resolutions made.
- 4.22 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.



- 4.23 No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council, committee or sub-committee are present and in no case shall the quorum of a meeting be less than three.
- 4.24 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.
- 4.25 A meeting shall not exceed a period of 1.5 hours, nor any group of meetings held on the same evening exceed 2.5 hours without a resolution of the meeting to continue beyond this limit.

## 5 COMMITTEES AND SUB-COMMITTEES

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- 5.1 The council may appoint standing committees or other committees and sub-committees as may be necessary, and:
- a. shall determine their terms of reference;
  - b. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
  - c. shall permit a committee and sub-committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - d. shall appoint and determine the terms of office of members of such a committee or sub-committee;
  - e. shall, after it has appointed the members of a committee or sub-committee, appoint the chairman of that committee or sub-committee;
  - f. shall determine if the public may participate at a meeting of a committee;
  - g. 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;
  - h. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - i. may dissolve a committee or sub-committee.
- 5.2 Unless the council determines otherwise, a committee or sub-committee may appoint one or more working groups whose terms of reference and members shall be determined by the appointing committee or sub-committee.
- 5.3 Notwithstanding any appointments made to sub-committees and working groups under standing orders 5.1d and 5.2 above, the Town Mayor and the chairman of the parent committee shall be ex-officio members of all sub-committees and working groups with full voting rights.
- 5.4 The members of a committee, sub-committee or working group may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- 5.5 Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

## 6 ORDINARY COUNCIL MEETINGS

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- 6.1 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- 6.2 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 may direct.
- 6.3 All meetings of the Council, its committees and sub-committees shall take place at 15 Station Road, Stone, with the first meeting commencing at 7:00pm, unless:
  - a. it is specifically agreed otherwise at a previous meeting, or,
  - b. it is anticipated, prior to the dispatch of meeting notice(s), that there would be a good reason that the meeting(s) should not be held in this or another previously agreed location, wherein the Town Clerk would be authorised to arrange an alternative location for the meeting(s). This includes the calling of an online meeting where permitted by law, or the conversion of a previously planned online meeting to a physical one.
- 6.4 In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- 6.5 The first business conducted at the annual meeting of the Council shall be the election of the Town Mayor and Deputy Town Mayor.
- 6.6 The Town Mayor, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the council.
- 6.7 The Deputy Mayor, unless they resign or become disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the council.
- 6.8 In an election year, if the current Town Mayor has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes.
- 6.9 In an election year, if the current Town Mayor has been re-elected as a member of the Council, they shall preside at the meeting until a new Town Mayor has been elected. They may exercise an original vote in respect of the election of the new Town Mayor and must give a casting vote in the case of an equality of votes.
- 6.10 Following the election of the Mayor and Deputy Mayor at the annual meeting of the council, the business of the annual meeting may include:
  - a. In an election year, delivery by the Town Mayor, Deputy Town Mayor and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor and Deputy Town Mayor of their acceptance of office forms unless the council resolves for this to be done at a later date;
  - b. Confirmation of the accuracy of the minutes of the last meeting of the council;
  - c. Receipt of the minutes of the last meeting of a committee;
  - d. Consideration of the recommendations made by a committee;

- e. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- f. Review of the terms of reference for committees;
- g. Appointment of members to existing committees;
- h. Appointment of any new committees;
- i. Review and adoption of appropriate standing orders and financial regulations;
- j. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- k. Review of representation on or work with external bodies and arrangements for reporting back;
- l. 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;
- m. Review of inventory of land and assets including buildings and office equipment;
- n. Confirmation of arrangements for insurance cover in respect of all insured risks;
- o. Review of the council's and/or staff subscriptions to other bodies;
- p. Review of the council's complaints procedure;
- q. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- r. Review of the council's policy for dealing with the press/media; and
- s. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

## 7 EXTRAORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES AND SUB-COMMITTEES

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- 7.1 The Town Mayor may convene an extraordinary meeting of the council at any time.
- 7.2 If the Town Mayor does not or refuses to 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 must be signed by the two councillors.
- 7.3 The chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- 7.4 If the chairman of a committee or a sub-committee does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of a committee or a sub-committee.

## 8 PREVIOUS RESOLUTIONS

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- 8.1 A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least six councillors to be given to the Proper Officer in accordance with standing order 10 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- 8.2 When a motion moved pursuant to standing order 8.1 above has been disposed of, no similar motion may be moved within a further six months.

## 9 VOTING ON APPOINTMENTS

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- 9.1 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 chairman of the meeting.

## 10 MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

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- 10.1 A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- 10.2 No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least ten clear days before the meeting. Clear days do not include the day of the notice, the day of the meeting, Saturdays, Sundays or Public Holidays.
- 10.3 The Proper Officer may, before including a motion on the agenda received in accordance with standing order 10.2 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 10.4 If the Proper Officer considers the wording of a motion received in accordance with standing order 10.2 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least ten clear days before the meeting.
- 10.5 If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- 10.6 Subject to standing order 10.5 above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 10.7 Should any urgent business arise between scheduled meetings of the Council or any standing committee or sub-committee, the Proper Officer will call a special meeting to deal with the issue.
- 10.8 Where urgent planning business occurs between ordinary meetings of the Council's Planning Consultative Committee, the Proper Officer shall circulate details of the business to Members, asking for comments. Where the view of Members is clear, and where no Member has requested that a special meeting of the Planning Consultative Committee should be arranged to discuss the business, those views shall be conveyed to the Borough Council by the Proper Officer following consultation with the Chairman of the Planning Consultative Committee or other appropriate Member(s) in the absence of the Chairman.
- 10.9 Where any matter is so urgent that it is not reasonable to call a special meeting with the legally required notice periods, the Council's Proper Officer is authorised to take any decision on behalf of the Council which can legally be delegated by the Council to an officer. Before taking such a decision, the Proper Officer shall take reasonable steps to consult with Council Members, and shall report the decision and the reason for its urgency at the next ordinary meeting of the Council or one of its committees if the decision would normally have been taken there.

## 11 MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

---

- 11.1 The following motions may be moved at a meeting without written notice to the Proper Officer:
- a. to correct an inaccuracy in the draft minutes of a meeting;
  - b. to move to a vote;
  - c. to defer consideration of a motion;
  - d. to refer a motion to a particular committee or sub-committee;
  - e. to appoint a person to preside at a meeting;
  - f. to change the order of business on the agenda;
  - g. to proceed to the next business on the agenda;
  - h. to require a written report;
  - i. to appoint a committee or sub-committee and their members;
  - j. to extend the time limits for speaking;
  - k. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
  - l. to not hear further from a councillor or a member of the public;
  - m. to exclude a councillor or member of the public for disorderly conduct;
  - n. to temporarily suspend the meeting;
  - o. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
  - p. to adjourn the meeting; or
  - q. to close a meeting.

## 12 HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION

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- 12.1 The agenda, papers that support the agenda, and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- 12.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## 13 DRAFT MINUTES

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- 13.1 If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- 13.2 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 11.1a above.
- 13.3 The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 13.4 If the chairman 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 chairman 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 that view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- 13.5 Upon 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.

## 14 CODE OF CONDUCT AND DISPENSATIONS

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*See also standing order 4.22 above.*

- 14.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- 14.2 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.

- 14.3 Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall not take part in any debate or vote at a meeting when it is considering a matter in which they have a personal interest, though they would be permitted to take part in a public participation item in the same way as any member of the public.
- 14.4 Dispensation requests shall be in writing and submitted to the Proper Officer before the start of the meeting for which the dispensation is required.
- 14.5 A decision as to whether to grant a dispensation shall be made by the meeting of the council, committee or sub-committee for which the dispensation is required and that decision is final.
- 14.6 A dispensation request shall confirm:
- a. the description and the nature of the disclosable pecuniary interest or personal interest to which the request for the dispensation relates;
  - b. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - c. the date of the meeting or the period (not exceeding the remaining time to the next Council election) for which the dispensation is sought; and
  - d. an explanation as to why the dispensation is sought.
- 14.7 Subject to standing orders 14.4 and 14.6 above, dispensation requests shall be considered at the beginning of the meeting of the council, committee or a sub-committee for which the dispensation is required.
- 14.8 A dispensation may be granted in accordance with standing order 14.5 above if having regard to all relevant circumstances the following applies:
- a. 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, or
  - b. granting the dispensation is in the interests of persons living in the council's area, or
  - c. it is otherwise appropriate to grant a dispensation.

## 15 CODE OF CONDUCT COMPLAINTS

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- 15.1 Upon formal written notification from Stafford Borough Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 12 above, report this to the council.
- 15.2 Where the notification in standing order 15.1 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Town Mayor of this fact, and the Town Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 15.4 below.
- 15.3 The council may:

- a. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - b. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- 15.4 Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office. *(Mandatory)*

## 16 PROPER OFFICER

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- 16.1 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 or otherwise unable to act.
- 16.2 The Proper Officer shall:
  - a. at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by email (where agreed) or by delivery or post at their residences, a signed summons confirming the time, place and the agenda. *(Mandatory for council and committees. See standing order 4.2 above for the meaning of clear days.);*
  - b. give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them); *(Mandatory for council and committees. See standing order 4.2 above for the meaning of clear days.);*
  - c. subject to standing order 10 above, include on the agenda all motions put forward by councillors unless withdrawn by the councillor themselves at least six clear days before the meeting;
  - d. convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in the office *(Mandatory);*
  - e. facilitate inspection of the minute book by local government electors;
  - f. receive and retain copies of byelaws made by other local authorities *(Mandatory);*
  - g. retain acceptance of office forms from councillors;
  - h. retain a copy of every councillor's register of interests;
  - i. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
  - j. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
  - k. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
  - l. arrange for legal deeds to be executed; See also standing order 23 below.
  - m. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;



- n. record every planning application notified to the council and the council's response to the local planning authority;
- o. manage access to information about the council via the publication scheme; and
- p. retain custody of the seal of the council (if any) which shall not be used for the sealing of legal deeds without a resolution to that effect. *See also standing order 23 below.*

## 17 RESPONSIBLE FINANCIAL OFFICER

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- 17.1 The Town Clerk shall undertake the role of responsible financial officer, unless there is a council resolution appointing a different officer. The council shall appoint an appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## 18 ACCOUNTS AND ACCOUNTING STATEMENTS

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- 18.1 "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England)
- 18.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- 18.3 The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise the Council's income and expenditure compared with the approved budget and an explanation of significant variances.
- 18.4 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide each councillor with a statement summarising the council's income and expenditure for the year and the full council the accounting statements for the year in the form of the annual return, as required by proper practices, for consideration and approval.
- 18.5 The year-end accounting statements shall be prepared in accordance with proper practices for a year to 31 March. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June or any other such date as specified in regulations.

## 19 FINANCIAL CONTROLS AND PROCUREMENT

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

- c. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - d. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - e. procurement policies (subject to standing orders 19.3 to 19.8 below).
- 19.2 Financial regulations shall be reviewed regularly for fitness of purpose.
- 19.3 The letting of contracts by the Council must be in accordance with the Public Contracts Regulations 2015, or subsequent replacement/supplementary legislation.
- 19.4 Contracts below the value of £25,000 are outside the scope of standing orders, but may be governed by the provisions within the Council's financial regulations.
- 19.5 Contracts above the value prescribed in the Public Contracts Regulations 2015 of £189,330<sup>3</sup> or £4,733,252<sup>3</sup>, which have "detailed and complex" requirements will be undertaken in partnership with the Borough or County Council, who will be able to ensure that these complex regulations are adhered to.
- 19.6 Between these two figures, the Council may:
  - a. Advertise the contract or otherwise offer it on the open market. In this case the provisions of the 2015 regulations apply, and the contract must also be published on the "Contract Finder" website.
  - b. Offer the contract to a closed list of contractors, whereby the provisions of the 2015 regulations do not apply.
  - c. Offer the contract to its "preferred contractor" identified for that area of work, where the 2015 regulations regarding advertising on the "Contracts Finder" website would also not apply.
- 19.7 Subject to any 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 under standing orders 19.6a and 19.6b above where the value is anticipated to exceed £60,000 shall include, as a minimum, the following steps:
  - a. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - b. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - c. the invitation to tender shall be advertised in a local newspaper and/or other manner that is appropriate (standing order 19.6a only);
  - d. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - e. 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;

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<sup>3</sup> September 2021 values. These figures may vary from time to time.

- f. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

19.8 Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value, or any, tender.

## 20 STAFFING MATTERS

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20.1 The Town Clerk shall act as employer for of the Council's paid employees and voluntary staff.

20.2 All written records in respect of staffing matters shall be kept confidential and secure. Only persons with line management responsibilities shall have access to staff records if so justified.

20.3 Appointments, dismissals, performance, disciplinary issues and grievances shall be considered in accordance with the Council's Staffing Guidelines.

## 21 REQUESTS FOR INFORMATION

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21.1 Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

21.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the General Purposes Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 22 RELATIONS WITH THE PRESS/MEDIA

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

## 23 EXECUTION AND SEALING OF LEGAL DEEDS

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*See also standing orders 16.2l and 16.2p above.*

23.1 A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

23.2 Subject to standing order 23.1 above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.

## 24 RESTRICTIONS ON COUNCILLOR ACTIVITIES

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- 24.1 No Councillor shall purport to represent the Council, or make any suggestion that they have the authority to make a binding decision on behalf of the Council, unless previously authorised by a properly minuted resolution.
- 24.2 Unless authorised by a resolution, no councillor shall:
- a. inspect any land and/or premises which the council has a right or duty to inspect; or
  - b. issue orders, instructions or directions.

### **Introduction**

1. This report undertakes a review of the Council's Financial Regulations.
2. In accordance with normal practice, this review should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

### **Background**

3. It is good practice to review the Council's Financial Regulations on a regular basis. The last review was undertaken in June 2019 and a number of changes have taken place since then, including Brexit and the pandemic.
4. A draft updated version of Financial Regulations is attached. The revisions made are generally in respect of Brexit and changes agreed since the last full update. These changes are explained below.
5. There have also been some revisions made to improve English and readability which have no other material effect on the document.

### **Revisions**

6. The main proposed changes to Financial Regulations are set out below.
7. **Regulation 5.7b** – This changes the requirement to produce a report of all payments<sup>1</sup> alongside the quarterly budget monitoring reports to a requirement to produce a report of all payments<sup>1</sup> to each ordinary meeting of the General Purposes Committee. In practice, this increased frequency of reporting has already been taking place for several months.
8. **Regulation 5.10** – The update allows payments to be made using PayPal. Payments by PayPal were approved by this Committee at its meeting on 5<sup>th</sup> November 2019, Minute 20/123. The revision consolidates this amendment, and requires all electronic payments to be included in the report to this Committee required by Regulation 5.7b.
9. **Regulation 10.3** - This is related to procurement, and has been updated to reflect Britain's exit from the European Union and the latest contract threshold figures.

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<sup>1</sup> except those already exempted by regulation 5.8

### **Conclusions**

10. This report has considered the Council's Financial Regulations and made recommendation for updating them for consideration by the Committee.
11. In accordance with normal practice, these recommendations should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

### **Recommendations**

12. The Committee is recommended to:
  - a. Update the Council's Financial Regulations in accordance with the proposed revisions contained in this report.
  - b. Consider any other changes that it would want to make to Financial Regulations.

# Stone

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## Town Council



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## Financial Regulations

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September 2021

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# 1 GENERAL

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- 1.1 These regulations govern the conduct of the financial activities of the Council and may only be amended or varied by resolution of the Council or the General Purposes (GP) Committee<sup>1</sup>.
- 1.2 Should there be a clash between the provisions of this document and those within other documents which prescribe the activities of the Council, the order of precedence shall be:
  - a. National Legislation
  - b. The Council's Standing Orders
  - c. Financial Regulations (this document)
  - d. All other documents
- 1.3 The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.4 The council's accounting control systems must include measures:
  - a. for the timely production of accounts;
  - b. that provide for the safe and efficient safeguarding of public money;
  - c. to prevent and detect inaccuracy and fraud; and
  - d. identifying the duties of officers.
- 1.5 These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.6 Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7 Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8 The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Town Clerk shall be the Council's Responsible Financial Officer (RFO), and as such shall be responsible for the proper administration of the Council's financial affairs.

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<sup>1</sup> All references to "the Council" in this document shall also be considered to refer to the General Purposes Committee for functions which have been delegated to that Committee.

The terms “Town Clerk” and “RFO” are, however, used separately throughout this document to allow for a situation where this may not be the case.

- 1.9 The Town Clerk and/or RFO may delegate items ascribed to them within this document to another employee, but will still remain accountable to the Council for those items.
- 1.10 The RFO;
- a. acts under the policy direction of the council;
  - b. administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - c. determines on behalf of the council its accounting records and accounting control systems;
  - d. ensures the accounting control systems are observed;
  - e. maintains the accounting records of the council up to date in accordance with proper practices;
  - f. assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
  - g. produces financial management information as required by the council.
- 1.11 The accounting records determined by the RFO shall be sufficient to show and explain the council’s transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.12 The accounting records determined by the RFO shall in particular contain:
- a. entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
  - b. a record of the assets and liabilities of the council; and
  - c. wherever relevant, a record of the council’s income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.13 The accounting control systems determined by the RFO shall include:
- a. procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - b. procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;

- c. identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
  - d. procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
  - e. measures to ensure that risk is properly managed.
- 1.14 The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular, any decision regarding:
- a. setting the final budget or the precept (council tax requirement);
  - b. approving accounting statements;
  - c. approving an annual governance statement;
  - d. borrowing;
  - e. writing off bad debts;
  - f. declaring eligibility for the General Power of Competence; and
  - g. the consideration of any report from the Council's internal or external auditors,
- shall be a matter for the full council only.
- 1.15 In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.
- 1.16 In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

## 2 ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

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- 2.1 All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2 The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts

shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

- 2.3 The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.4 The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.5 The internal auditor shall:
  - a. be competent and independent of the financial operations of the council;
  - b. report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - c. to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - d. have no involvement in the financial decision making, management or control of the council.
- 2.6 Internal or external auditors may not under any circumstances:
  - a. perform any operational duties for the council;
  - b. initiate or approve accounting transactions; or
  - c. direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.7 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.8 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.9 The RFO shall, without undue delay, bring to the attention of all councillors any report from internal or external auditors.

### 3 ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

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- 3.1 The Council's budget shall be prepared on an "Income and Expenditure" basis.
- 3.2 The GP Committee shall consider a report of the RFO setting out the prospects for the following three years' capital and revenue budgets no later than January each year. Each Sub-Committee shall be asked to formulate its proposed budget for the next three years based on policy guidelines determined by the GP Committee, and to submit these proposals to the Committee for further consideration.
- 3.3 After considering the Sub-Committees' proposals, the GP Committee shall determine a balanced and affordable budget to be recommended to the Council for the following three financial years.
- 3.4 The Council shall review the GP Committee's recommendations not later than the end of February each year and shall fix the Precept to be levied for the ensuing financial year and determine indicative precepts for the following two years.
- 3.5 The annual budget shall form the basis of financial control for the ensuing year.

### 4 BUDGETARY CONTROL AND AUTHORITY TO SPEND

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- 4.1 The Town Clerk is authorised to seek tenders/quotations, place orders and make payments in accordance with the approved annual budget, the Council's policies, and these Financial Regulations. Where the annual budget identifies specific items for which no expenditure should be incurred without the express approval of the Council, the Clerk should refer proposed spending for approval before that spending is incurred. In all other cases, the Clerk is authorised to proceed without specific approval.
- 4.2 The RFO shall regularly provide the Council with a budget monitoring statement comparing actual expenditure against that planned for each approved budget head.
- 4.3 The Town Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure. Where there is no available budget, the Clerk shall, wherever possible, discuss the issue with the Chairman of the General Purposes Committee or, in their absence, the Vice Chairman or Town Mayor before incurring the expenditure. Where no or insufficient budget provision existed, the Town Clerk shall report the action to the Council as soon as practicable thereafter.
- 4.4 In general, unspent provisions in the revenue budget shall not be carried forward to a subsequent year. Where a budget has been agreed by the Council as a "rollover budget", then unspent amounts may be rolled-over into the subsequent financial year by making

use of a rollover reserve. This provision may also be used on a one-off basis for specific items, subject to agreement of the Council.

- 4.5 All expenditure and income of the Council shall be included within its revenue account unless a specific Council resolution has determined that it shall be treated as capital. Once such as resolution has been passed, no expenditure shall be incurred in relation to any such capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained, to meet the full projected costs of the project.
- 4.6 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.7 Changes in earmarked reserves, other than the rollover reserve, shall require approval by council.
- 4.8 Notwithstanding the provisions above, all expenditure and income related to the Town Mayor's charity will, in the interests of transparency, be accounted for by the use of a specified reserve account for each Town Mayor.

## 5 BANKING ARRANGEMENTS AND PAYMENTS

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- 5.1 The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed.
- 5.2 All invoices for payment shall be examined, verified and certified by the Clerk. The Clerk shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received or carried out in accordance with the needs of the Council.
- 5.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall settle invoices promptly.
- 5.4 All cash received must be banked intact.
- 5.5 No petty cash account shall be maintained.
- 5.6 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance, pension contributions or other reasons, should be made from the Council's bank account.
- 5.7 A schedule showing payments from the Council's bank accounts shall be prepared by the RFO and presented:
  - a. To the Council on a quarterly basis in respect of payments over £250, and,
  - b. To the General Purposes Committee at each ordinary meeting.

- 5.8 For the purposes of the schedules referred to in paragraph 5.7 above:
- a. Staff salary and related payments should not be included, but total figures for a period should be made available to any Member on request. Details of payments to individual employees will only be made available in accordance with paragraph 6.4 below.
  - b. Payments in respect of the Mayor's Charity Fund will not be included, but should be made available to any Member on request.
- 5.9 The Council acknowledges that the commitment to make a payment occurs at the time an order is placed or similar arrangement made, not at the time a payment itself is made. It does not, therefore, consider that excessive controls on payments which may hamper the efficient operation of the Council need to be applied, providing that adequate controls over ordering and reporting are in place in accordance with these regulations.
- 5.10 Payments may be made by way of cheque, direct debit, bank transfer, purchasing card, PayPal, internet banking, BACS or CHAPS, provided that:
- a. All cheques shall be signed by two individuals included within the bank mandate, at least one of which shall be a Member of the Council and not more than one shall be an officer.
  - b. Transfers between Council bank accounts may be authorised by the RFO.
  - c. Payments via purchasing card can be made by a single authorised officer, and are limited to £1,000 in any single transaction, with a maximum of £5,000 outstanding at any one time.
  - d. Electronic payments and direct debits, including payments via PayPal and internet banking, can be made by a single authorised officer, but the supporting paperwork should also be signed by a second officer. All such payments should be included within the report to the General Purposes Committee required by regulation 5.7b above, subject to the exceptions set out in paragraph 5.8 above.
- 5.11 Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted. Officers authorising payments will be required to follow these same arrangements in respect of pecuniary or other interests.

## 6 PAYMENT OF SALARIES

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- 6.1 As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.

- 6.2 Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.
- 6.3 Once an employee's salary and conditions has been determined by the Council or an authorised Appointments Panel and a contract of employment has been signed, no changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council, except where required for the payment of overtime, absence cover, incremental progression or similar matters.
- 6.4 Payments to individual employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall not be open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a. by any councillor who can demonstrate a need to know;
  - b. by the internal auditor;
  - c. by the external auditor; or
  - d. by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 6.5 Any termination payments beyond those required by law shall require the approval of the Council.

## 7 LOANS AND INVESTMENTS

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- 7.1 All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 7.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the council in the first instance, though the renewal and extension of existing leases may be authorised by the Town Clerk providing that there is provision within the Council's budget and that he/she is satisfied that the arrangement represents value for money for the Council.
- 7.3 All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 7.4 The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.



- 7.5 All investments of money under the control of the council shall be in the name of the council.
- 7.6 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 7.7 Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 above.

## 8 INCOME

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- 8.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 8.2 Particulars of all charges to be made for work done, services rendered or goods supplied by the Council shall be considered annually by the council as part of the budget process, and notified to the RFO who shall be responsible for the collection of all accounts due to the council.
- 8.3 The council will undertake a full review of all fees and charges periodically, following a report of the Clerk.
- 8.4 Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 8.5 All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 8.6 A record shall be maintained by the RFO of the amounts making up the total of each paying-in slip.
- 8.7 Personal cheques shall not be cashed out of money held on behalf of the council.
- 8.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 8.9 Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 8.10 Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the

Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 15 below).

## 9 ORDERS FOR WORK, GOODS AND SERVICES

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- 9.1 An official order number shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Details of orders shall be retained.
- 9.2 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.
- 9.3 A Member may not specify the use of a particular supplier, issue an official order or make any contract (verbal or written) on behalf of the council.
- 9.4 The RFO shall satisfy themselves as to the lawful nature of any proposed purchase before the issue of an order.

## 10 CONTRACTS

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- 10.1 Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to the following items:
  - a. for the supply of gas, electricity, water, sewerage and telephone services;
  - b. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - c. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - d. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - e. for additional audit work of the external auditor;
  - f. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price: and
  - g. In circumstances where continuity of supplier is considered by the RFO to offer greater benefits to the Council than retendering.
- 10.2 Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015

("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.

- 10.3 The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive (which may change from time to time)<sup>3</sup>.
- 10.4 Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- 10.5 All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 10.6 Any invitation to tender issued under this regulation shall be subject to the requirements of Standing Orders related to procurement<sup>4</sup> and shall refer to the terms of the Bribery Act 2010.
- 10.7 When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- 10.8 Where the Clerk has determined that there is a benefit to the Council to let a contract in association with one or more other partners, or to make use of another authority's facilities such as the County Council's e-tendering system, the requirements of these regulations shall be replaced by the requirements of the regulations of the lead body for the letting of the contract.
- 10.9 When it is to enter into a contract of less than £25,000 but in excess of £3,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph 10.1 above the Clerk or RFO shall, where possible, obtain 3 quotations. Below this figure, the Clerk or RFO shall seek to obtain the best overall value for money for the

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<sup>2</sup> The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

<sup>3</sup> Thresholds currently applicable are:

- a. For public supply and public service contracts £189,330
- b. For public works contracts £4,733,252

<sup>4</sup> Standing Order 19 based on the version effective from September 2021 which was current at the time of preparing this document. This reference may change in subsequent versions of standing orders.

Council after taking into account cost, quality of service and availability, and shall strive to obtain one or more estimates for the work/service to be performed.

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

## **11 PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)**

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- 11.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 11.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum by 5% or more a report shall be submitted to the council.
- 11.3 Any variation to a contract or addition to or omission from a contract must be approved by the Town Clerk on behalf of the Council and notified to the Contractor in writing before any work has begun, the Council being informed where the final cost is likely to exceed the financial provision as a result.

## **12 STORES AND EQUIPMENT**

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- 12.1 Where the Council operates a system of stock control, or holds a supply of equipment for the use of a number of people, the Town Clerk shall be responsible for the arrangements for the care and custody of these stores and equipment.
- 12.2 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.
- 12.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 12.4 The RFO shall be responsible for periodic checks of stocks and stores at least annually.

## 13 ASSETS, PROPERTIES AND ESTATES

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- 13.1 The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council in accordance with Accounts and Audit Regulations.
- 13.2 No tangible moveable property shall be sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 13.3 No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.4 No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.5 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

## 14 INSURANCE

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- 14.1 Following an annual risk assessment, the RFO shall effect all insurances and negotiate all claims on the council's insurers in consultation with the Clerk.
- 14.2 The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 14.3 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 14.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 14.5 All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council, or duly delegated committee.

## 15 CHARITIES

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

## 16 RISK MANAGEMENT

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- 16.1 The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 16.2 When considering any new activity, the Clerk [with the RFO] shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

## 17 SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

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- 17.1 It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 17.2 The council may, by resolution, suspend any part of these Financial Regulations provided that the advice of the RFO regarding the risks and implications has been considered prior to the suspension. Details of the suspension must be recorded in the minutes, and must include a record of the advice of the RFO if the council has chosen not to follow it.

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## Town Council



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## Councillor Code of Conduct

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October 2021

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# 1 INTRODUCTION

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- 1.1 The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.
- 1.2 As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.
- 1.3 Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.
- 1.4 This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government. The document is based on the Model Councillor Code of Conduct developed by the Local Government Association (LGA).
- 1.5 All councils are required to have a local Councillor Code of Conduct.

# 2 DEFINITIONS

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- 2.1 For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who:
  - a. is a member of any committee or sub-committee of the authority, or;
  - b. is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".
- 2.2 For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

### 3 PURPOSE OF THE CODE OF CONDUCT

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

### 4 GENERAL PRINCIPLES OF COUNCILLOR CONDUCT

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- 4.1 Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.
- 4.2 Building on these principles, the following general principles have been developed specifically for the role of councillor.
- 4.3 In accordance with the public trust placed in me, on all occasions:
- I act with integrity and honesty
  - I act lawfully
  - I treat all persons fairly and with respect; and
  - I lead by example and act in a way that secures public confidence in the role of councillor.
- 4.4 In undertaking my role:
- I impartially exercise my responsibilities in the interests of the local community
  - I do not improperly seek to confer an advantage, or disadvantage, on any person
  - I avoid conflicts of interest
  - I exercise reasonable care and diligence; and
  - I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## 5 APPLICATION OF THE CODE OF CONDUCT

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- 5.1 This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.
- 5.2 This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:
- you misuse your position as a councillor
  - Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;
- 5.3 The Code applies to all forms of communication and interaction, including:
- at face-to-face meetings
  - at online or telephone meetings
  - in written communication
  - in verbal communication
  - in non-verbal communication
  - in electronic and social media communication, posts, statements and comments.
- 5.4 You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.
- 5.5 Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## 6 STANDARDS OF COUNCILLOR CONDUCT

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- 6.1 This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.
- 6.2 Guidance is included to help explain the reasons for the obligations and how they should be followed.

## **7 RESPECT**

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### **7.1 As a councillor:**

- I treat other councillors and members of the public with respect.
- I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

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

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

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

## **8 BULLYING, HARASSMENT AND DISCRIMINATION**

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### **8.1 As a councillor:**

- I do not bully any person.
- I do not harass any person.
- I promote equalities and do not discriminate unlawfully against any person.

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

**8.3** The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such

conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

- 8.4 Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.5 The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

## **9 IMPARTIALITY OF OFFICERS OF THE COUNCIL**

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

## **10 CONFIDENTIALITY AND ACCESS TO INFORMATION**

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- 10.1 As a councillor:
- I do not disclose information:
    - i. given to me in confidence by anyone
    - ii. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless:
      - I have received the consent of a person authorised to give it;
      - I am required by law to do so;
      - the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the

third party agrees not to disclose the information to any other person; or

▪ the disclosure is:

- reasonable and in the public interest; and
- made in good faith and in compliance with the reasonable requirements of the local authority; and
- I have consulted the Monitoring Officer prior to its release.

- I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.
- I do not prevent anyone from getting information that they are entitled to by law.

10.2 Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **11 DISREPUTE**

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11.1 As a councillor:

- I do not bring my role or local authority into disrepute.

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

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

## **12 USE OF POSITION**

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### **12.1 As a councillor:**

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

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

## **13 USE OF LOCAL AUTHORITY RESOURCES AND FACILITIES**

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### **13.1 As a councillor:**

- I do not misuse council resources.
- I will, when using the resources of the local or authorising their use by others:
  - i. act in accordance with the local authority's requirements; and
  - ii. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

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

### **13.3 Examples include:**

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

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

## 14 COMPLYING WITH THE CODE OF CONDUCT

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### 14.1 As a Councillor:

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

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

## 15 INTERESTS

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### 15.1 As a councillor:

- I register and disclose my interests.

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

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

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

15.5 Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek appropriate advice.



## 16 GIFTS AND HOSPITALITY

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### 16.1 As a councillor:

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

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

## APPENDIX A: THE SEVEN PRINCIPLES OF PUBLIC LIFE

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The principles are:

### **Selflessness**

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

### **Integrity**

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

### **Objectivity**

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

### **Accountability**

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

### **Openness**

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

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

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

## APPENDIX B: REGISTERING INTERESTS

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1. Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in Table 2 (Personal Interests).
2. "Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.
3. "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.
  - a. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer (Clerk in respect of a town or parish council, who will then notify the Monitoring Officer).
  - b. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
  - c. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### **Non participation in case of Disclosable Pecuniary Interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

### **Disclosure of Personal Interests**

5. Where a matter arises at a meeting which directly relates to one of your Personal Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
7. Where a matter arises at a meeting which affects –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative, close associate; or
  - c. a body included in those you need to disclose under Other Registerable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

8. Where a matter affects your financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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

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

## TABLE 1: DISCLOSABLE PECUNIARY INTERESTS

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract made between the member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities<sup>1</sup>) and the Council:</p> <ul style="list-style-type: none"> <li>(a) under which goods or services are to be provided or works are to be executed; and</li> <li>(b) which has not been fully discharged.</li> </ul>
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the member's knowledge):</p> <ul style="list-style-type: none"> <li>(a) the landlord is the Council; and</li> <li>(b) the tenant is a body in which the member, or his/her spouse or civil partner/ the person with whom the member is living as if they were spouses/civil partners has a beneficial interest.</li> </ul>
Securities	<p>Any beneficial interest in securities of a body where:</p> <ul style="list-style-type: none"> <li>(a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and</li> <li>(b) either: <ul style="list-style-type: none"> <li>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</li> </ul> </li> </ul>

<sup>1</sup> 'Securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## TABLE 2: PERSONAL INTERESTS

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You have a personal interest in any business of your authority which relates to or is likely to affect:

1. Any body of which the member is in a position of general control or management and to which he/she has not been appointed or officially nominated by the Council;
2. Any body:
  - a. exercising functions of a public nature;
  - b. directed to charitable purposes; or
  - c. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

---

**From:** Corporate Support <corporatesupport@staffordbc.gov.uk>  
**Sent:** 13 September 2021 09:01  
**Subject:** Consultation - Draft Statement of Principles 2022 to 2025 - Gambling Act 2005  
**Attachments:** Gambling-Act-2005-Draft-SOP-2022-2025.pdf

Dear Consultee,

## **Gambling Act 2005 Draft Statement of Principles 2022 to 2025**

I write with reference to the above and to advise you that Stafford Borough Council has published a draft copy of its revised Gambling Act Statement of Principles for the period 2022 to 2025.

The Council would be grateful if you could take the time to read the draft Statements of Principles and make comment upon it during the consultation period which runs between **13 September and 22 October 2021**.

If appropriate, I would also ask you to forward the draft Statement of Principles to another colleague or organisation who you think might have an interest in commenting upon it.

The draft Statement of Principles is available online, the link to the consultation page is:  
<https://www.staffordbc.gov.uk/surveys>

I have attached a copy for your convenience.

If you would like to respond by email your comments should be made by no later than **midnight 22 October 2021** to: [ehlicensing@staffordbc.gov.uk](mailto:ehlicensing@staffordbc.gov.uk)

Your comments can also be sent by letter to:

The Licensing Section  
Stafford Borough Council  
Civic Centre  
Riverside  
Stafford  
ST16 3AQ

Yours Sincerely,

Licensing Manager



[www.staffordbc.gov.uk](http://www.staffordbc.gov.uk)

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# **Gambling Act 2005**

## **Draft Statement of Principles 2022 - 2025**

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# Part A – The Gambling Act 2005

## 1 The Licensing Objectives

- 1.1 Under the Gambling Act 2005 (the Act), Stafford Borough Council is the Licensing Authority. The Council licenses premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the Council are to Stafford Borough Council.
- 1.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operators licence and personal licence from the Gambling Commission before they approach the Council for a premises licence.
- 1.3 The Council is responsible for licensing premises where gambling activities are to take place. The Council is also responsible for a number of other matters which are listed in paragraph 12.1 below.
- 1.4 The Council will carry out its functions under the Act and will aim to permit gambling in accordance with the three licensing objectives set out at Section 1 of the Act. The expectation is that gambling premises will ensure that the licensing objectives are met. The three licensing objectives are:
  - Preventing gambling from being a source of crime or disorder, being associated with crime or being used to support crime;
  - Ensuring that gambling is conducted in a fair and open way;
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.5 More information on the licensing objectives can be found later in this document. It should be noted that the licensing objectives do not include ensuring public safety or the prevention of public nuisance.
- 1.6 When making decisions about applications for premises licences, the Council is bound by, and committed to, a statutory aim to permit gambling insofar as it considers that any application made:
  - Is in accordance with any relevant Code of Practice issued by the Gambling Commission;
  - Is in accordance with any relevant guidance issued by the Gambling Commission;

- Is reasonably consistent with the licensing objectives; and
  - Is in accordance with the Council's Statement of Principles.
- 1.7 The Licensing Authority would emphasise that moral or ethical objections to gambling are not valid reasons for the rejection of premises licences applications.

## **2 Introduction and consultation process**

- 2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act.
- 2.2 The Council **intends to consult** widely on this Statement of Principles. The list of those **to be consulted** during the 2021 consultation exercise is provided within paragraph 2.4 below.
- 2.3 The Council will continue to monitor the effectiveness of this policy and will consider changes to the policy in the light of any new legislation and/or developments affecting the local area. It will consult with stakeholders at the time it is considering any such changes. The Council must review and publish this statement of principles at least every three years.
- 2.4 List of persons and agencies **to be consulted** by this authority:
- The Gambling Commission
  - Staffordshire Police
  - Staffordshire Safeguarding Children Board
  - Staffordshire County Council Social Services
  - Staffordshire Fire and Rescue Service
  - Staffordshire Youth Services
  - Director of Public Health
  - Community Wellbeing Partnership
  - British Beer and Pub Association
  - Association of British Bookmakers
  - Stafford Borough Council elected members
  - Stafford Borough Council's Corporate Business and Partnership Team
-

- All parish and town councils in Stafford Borough Council
- Stafford Chamber of Trade
- Neighbouring local authorities
- Existing licence holders
- Growth, Regeneration and Infrastructure Partnership

**2.5 The consultation will take place between 13 September and 22 October 2021.**

### **3 Exchange of Information and Data Protection**

- 3.1 Licensing authorities are required to include, in their policy, the principles which are to be applied to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act. It may also share information with other bodies responsible for auditing or administering public funds for these purposes, e.g. UK National Fraud Initiative.
- 3.2 The information that you have provided will be used by Stafford Borough Council, as data controller, to allow it to carry out its statutory obligations in relation to the administration, compliance and enforcement of the licensing function within the Borough. The Council will only share your information with agencies involved in licence processing or licensing enforcement where the law requires or permits it to do so. For further information, please see:

<https://www.staffordbc.gov.uk/PrivacyNotices>

### **4 Equality and Diversity**

- 4.1 **The Council is committed to promoting diversity and equality of opportunity to everyone it comes into contact with. This is an essential part of improving services for everyone. This can only be achieved by promoting equality for all groups of people and removing discrimination and harassment.**

Through policies and service delivery, the Council's main aims for ensuring equality and diversity are to:

- Eliminate unlawful discrimination ;
- Advance equality of opportunity between those who share a protected characteristic and people who do not ;
- Foster good relations between those who share a protected characteristic and people who do not.

4.2 The Council refreshed its Equalities Policy during 2021 and the overarching aim of this policy is that consideration to equality becomes an intrinsic part of daily working, the organisation culture and service delivery.

4.3 There are two main objectives that support the aim and objectives in the Corporate Business Plan and these relate to :

Organisational commitment

Delivering the best outcomes for residents, businesses and visitors in our borough

A copy of the policy can be found at:

<https://www.staffordbc.gov.uk/equality-and-inclusion-policy>

## **5 Crime and Disorder Act 1998**

5.1 Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its area and is mindful of concerns over the use of licensed premises for criminal activity, for example money laundering and drug dealing.

5.2 The Council will work in partnership with licence holders, local businesses, responsible authorities, councillors and local people with the aim of promoting the licensing objectives.

## **6 The Licensing Framework**

6.1 The Gambling Act 2005 changed the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with Central Government and local authorities to regulate gambling activity.

6.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operator's licence and personal licence from the Gambling Commission before they approach the Council for a premises licence. In this way, the Gambling Commission is able to ensure that applicants have the correct credentials to operate gambling premises.

6.3 The Council's role is to ensure premises are suitable for providing gambling in accordance with the three licensing objectives and any Codes of Practice issued by the Gambling Commission. The Council also issues various permits and notices for smaller scale gambling.

6.4 The Council does not license large society lotteries or remote gambling through websites. These are regulated by the Gambling Commission. The

National Lottery is not regulated by the Gambling Act 2005 but continues to be regulated by the National Lottery Commission under the National Lottery Act 1983.

## **7 Local Area Profile**

- 7.1 Applicants are referred to the web links given in paragraphs 8.9 to 8.13 below. These web pages give wide ranging information on the Council's local area which should be taken into account by applicants who are preparing local risk assessments. These web links are reviewed and updated on a regular basis so as to reflect changes to local characteristics, trends and conditions.
- 7.2 Stafford Borough is one of eight District and Borough Councils that make up Staffordshire in the West Midlands. Stafford is the county town and the Borough is the largest Staffordshire district, stretching across 59,187 hectares equating to approximately 230 miles. Predominately rural, with 32% of the population living in these areas, its economic scale score of 84.71 ranks it as medium size by British standards.
- 7.3 Stafford Borough currently has more than 135,880 residents and this figure is expected to increase to approximately 142,900 by 2033. The Borough has an ageing population, with more people living here who are over 65 years; there is a lower proportion of children and young people aged under 24 years of age with average proportions of adults aged 35 – 50 years.
- 7.4 The ethnicity of the population is approximately 94% White British, which is comparable to the population of Staffordshire.
- 7.5 According to the most recent figures, the Gross Value Added (GVA) of Stafford is £3,200,000 representing 18% of the whole county of Staffordshire GVA. Median weekly earnings for full-time employees reached £585 in April 2019.
- 7.6 Between April 2018 and April 2019, 35.7% of full-time employees experienced a real term pay decrease or pay freeze, a reduction from 43.3% in 2018. Stafford's full-time workers continued to see an increase in weekly pay to £606.70 compared to £550.8 in the West Midlands and £587 across Great Britain.
- 7.7 The ward indicator matrix demonstrates that there are six ward areas that are more deprived and experience poorer outcomes. The wards with the highest levels of need in terms of families and communities facing multiple issues are: Common, Coton, Doxey and Castletown, Forebridge, Highfields and Western Downs, and Penkside.
- 7.8 There are approximately 60,000 households in the borough which are predominantly owner-occupied



- 7.9 The average price of a house in Stafford Borough is £184,156. This is above the Staffordshire average price, but below the national and regional average.
- 7.10 Residents of Stafford Borough generally live longer, with the healthy life expectancy in the district better than the national average for both males (81 years) and females (83 years). However, the life expectancy for both men and women living in deprived areas is six years less.
- 7.11 The new Corporate Business Plan sets out the council's vision and objectives for the next three years and details a shared vision for economic and housing growth, community health and wellbeing, climate change and financial sustainability.

<https://www.staffordbc.gov.uk/corporate-business-plan>

- 7.12 All of our outcomes for our residents, families and communities are affected by a wide range of social, demographic, environmental and economic factors which are inextricably linked. It is often the same families and communities that have poor outcomes and who more likely to be the victims and also perpetrators of crime and anti-social behaviour. There is increasing focus upon public sector organisations working in partnership with each other, the voluntary, business sectors and communities to plan, design, resource, build and deliver services around people, families and communities in the most disadvantaged communities to support them to improve their life opportunities.
- 7.13 The Council will proactively engage with all responsible authorities as well as other organisations to ensure any new applications or applications to vary existing licences are assessed by taking the local area profile risks into account. Applicants should therefore consider how they will address these risks and address these matters in any applications.

## **8 Local Risk Assessment**

- 8.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) which were revised and published in October 2020 require operators to consider local risks from the provision of gambling at their premises. Please see Code of Practice provisions, section 10 :

<https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp>

- 8.2 The Social Responsibility (SR) code requires applicants to assess the local risk to the licensing objectives posed by the provision of gambling facilities at each of their premises. It also requires them to have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, applicants must take into account any relevant matters identified within this statement of principles.

- 8.3 Applicants are required to undertake a local risk assessment (LRA) when applying for a new premises licence. Further, their risk assessment must also be updated:
- When applying for a variation of a premises licence.
  - To take account of significant changes in local circumstances, including any identified within this policy statement.
  - Where there are significant changes at premises that may affect the mitigation of local risks.
- 8.4 The Council encourages operators to keep a copy of the LRA at the premises at all times. The LRA must be provided to the Council when applying for a new premises licence or for a variation to the existing premises licence. **Upon such application, the Council will consider the need to condition premises licences to require operators, to keep a copy of the LRA on the premises at all times.**
- 8.5 The LRA should set out measures the applicant has in place to address areas of local concern. In broad terms, the LRA should include reference to any specified local risk, how the operator intends to mitigate any risks identified and how the operator will monitor those risks.
- 8.6 **The Council will expect the LRA to consider as a minimum:**
- **the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather.**
  - **the demographics of the area in relation to vulnerable groups;**
  - **whether the premises is in an area subject to high levels of crime and/or disorder.**
  - **LRAs should show how vulnerable people, including people with gambling dependencies are protected.**
- 8.7 **Applicants will need to consider socio-economic, demographic and health and wellbeing factors** when drafting their LRA. These factors are referred to within the paragraphs 8.9 to 8.13 below.
- 8.8 The Council will expect applicants to have an understanding of the local profile and address the Council's concerns in respect of protecting children and other vulnerable people by ensuring that the licensing objectives are met. This should be demonstrated via the LRA.
- 8.9 The web links below are links to external documents which are intended to assist applicants in obtaining a greater understanding of the local area. Applicants should take this information into account when drafting any LRA.

- 8.10 The Public Health England Stafford Borough Health Profile can be viewed at:  
<https://fingertips.phe.org.uk/profile/health-profiles/data#page/1/gid/1938132696/pat/6/par/E12000005/ati/101/are/E07000197>
- 8.11 Staffordshire County Council and the Staffordshire Observatory Locality Profile for the Stafford Borough can be found at:  
[Stafford Data Pack 2018 \(staffordshireobservatory.org.uk\)](http://staffordshireobservatory.org.uk)
- 8.12 The Stafford and Surrounds Health and Wellbeing Strategy 2020-2024 can be found at:  
<https://www.staffordbc.gov.uk/Community-Safety-and-Wellbeing-Strategy-2020-2024>
- 8.13 The Stafford Borough Community Safety Strategic Assessment:  
<https://www.staffordbc.gov.uk/Community-Safety-Strategic-Assessment>
- 8.14 Having considered the information provided above, applicants should provide the licensing authority with the policies and procedures they have in place, which are designed to prevent underage gambling. These policies and procedures should also take account of the structure and layout of the particular premises as well as any training provided to staff.
- 8.15 In the event of any application to vary a premises licence, operators will be required to provide the licensing authority with any age-related compliance test results which relate to the premises concerned.
- Self-exclusion details
  - Attempts to gamble by under 18s
  - Test Purchase results
  - Anti social behaviour issues on the incident log
  - Police reports and call outs
  - Sharing information with nearby agencies e.g. treatment centres
  - Protections in place when footfall is highest
  - Betwatch or similar

- 8.16 With respect to preventing vulnerable people from gambling, applicants must demonstrate how they intend to ensure that the licensing objective is met. This might include providing details about their own self exclusion schemes and their intentions towards the Multi Operator Self Exclusion Scheme (MOSES).
- 8.17 In LRAs applicants should provide details of the responsible gambling information that they make available to customers. This should include information from organisations such as Gambleaware <https://about.gambleaware.org/> and GamCare <http://www.gamcare.org.uk/>
- 8.18 Local Risk Assessments (LRAs) should detail what controls are in place for challenging excluded persons from entering into the premises and what arrangements are in place for monitoring the use of fixed odds betting terminals (FOBT).

## 9 Declaration

- 9.1 This Policy Statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence; these applications will be considered on their own merits and according to the statutory requirements of the Gambling Act 2005.
- 9.2 In producing the finalised Statement of Principles, the Council declares that it will have regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the Policy Statement.

## 10 Responsible Authorities

- 10.1 The Act allows certain agencies to act as responsible authorities. Responsible authorities are able to make representations about licence applications or apply for a review of an existing licence. Responsible authorities may also offer advice and guidance to applicants.
- 10.2 The Council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area;
  - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

- 10.3 In accordance with the regulations, the Council designates the Staffordshire County Council, Local Safeguarding Children Board for this purpose.
- 10.4 The contact details of all the responsible authorities under the Gambling Act 2005 can be found on the Council's website at:

<https://www.staffordbc.gov.uk/responsible-authorities>

## 11 Interested Parties

- 11.1 Interested parties are people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as set out below.
- 11.2 For the purposes of this part, a person is an interested party if, in the opinion of the licensing authority which issued the licence or to which the application is made, the person:
- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
  - (b) has business interests that might be affected by the authorised activities, or
  - (c) represents persons who satisfy paragraphs (a) or (b).
- 11.3 The Council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:
- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission: Guidance to Local Authorities.
  - In order to determine if an interested party lives or has business interests sufficiently close to the premises to be likely to be affected by the gambling activities, the Council will consider factors such as the size of the premises and the nature of the activities taking place.
- 11.4 **The Council will consult with the Director of Public Health on all Premises Licence applications.**

## 12 Licensing Authority Functions

- 12.1 Licensing authorities are responsible under the Act for:
- Licensing premises where gambling activities are to take place by issuing premises licences

- Issuing provisional statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to commercial clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of up to two gaming machines
- Granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises under the Licensing Act 2003, where more than two machines are required
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices (for tracks)
- Providing information to the Gambling Commission regarding details of licences issued (see section above on information exchange)
- Maintaining registers of the permits and licences that are issued under these functions

12.2 The Council does not license remote gambling. This matter falls to the Gambling Commission.

## **Part B –The Licensing Objectives**

### **13 Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**

- 13.1 The Gambling Commission takes the lead role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however encourage licensing authorities to pay particular attention to the proposed location of gambling premises in terms of this licensing objective.
- 13.2 Such association with crime may include: money laundering; counterfeiting; drug dealing or any similar involvement in organised crime.
- 13.3 Operators are also required to consider child protection issues such as the risk of child sexual exploitation, as part of this Licensing Objective.

### **14 Ensuring that Gambling is conducted in a fair and open way**

- 14.1 The Gambling Commission takes the lead role in ensuring that gambling is conducted in a fair and open way and addresses this via operating and personal licences.
- 14.2 The Council will take operator licence conditions into account and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other information.
- 14.3 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document, and also in Part D which covers permits and notices.

### **15 Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

- 15.1 This licensing objective seeks to prevent children from taking part in most types of gambling and where appropriate, the Council may require specific measures at particular premises which are designed to ensure that the licensing objectives are met.
- 15.2 Preventative measures may include the supervision of premises and machines and appropriate training for staff with regard to suspected truanting school children and how staff should deal in general with unsupervised children.
- 15.3 The Council will pay particular attention to any Codes of Practice which the Gambling Commission issues with respect to this licensing objective.

- 15.4 The Council does not seek to offer a definition for the term “vulnerable people” but for regulatory purposes it will assume that this group includes elderly people, people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.

## **Part C - Premises Licences**

### **16 Introduction to Premises Licensing**

- 16.1 The Council will issue premises licences to allow those premises to be used for certain types of gambling. Premises licences may, for example, be issued to amusement arcades, bingo halls and bookmakers.
- 16.2 Premises licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

#### **Definition of ‘Premises’**

- 16.3 Premises are defined in the Act as ‘any place’. Different premises licences cannot apply in respect of single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact within any given circumstances.
- 16.4 The Council will take particular care when considering applications for multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes. In particular, the Council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
- 16.5 The Council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the Council will consider before granting such applications include whether children can gain access; compatibility of the two establishments and the ability to comply with the requirements of the



Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

### **Location**

- 16.6 The Council is aware that demand issues (e.g. the likely demand or need for gambling facilities in the area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 16.7 When considering the licensing objectives, the Council's may, upon receipt of any relevant representations, look at location as a specific issue. Location issues might include, but are not be limited to:
- The proximity of the premises to schools and vulnerable adult centres.
  - The proximity of the premises to residential areas where there may be a high concentration of families with children.
  - The size of the premises and the nature of the activities taking place.
  - The level of organised crime in the area.
- 16.8 Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.
- 16.9 This policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how any concerns can be overcome.

### **Duplication with other regulatory regimes**

- 16.10 The Council will seek to avoid any duplication with other statutory/regulatory systems such as planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will listen to and consider carefully any concerns about conditions which the licence holder cannot meet because of planning restrictions.

## **Conditions**

16.11 Applications will be granted subject only to the mandatory and default conditions. Such conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. Additional conditions will only be imposed where there is evidence of a risk to the licensing objectives that requires that the mandatory and default conditions be supplemented. Conditions will only be attached to premises licences where there is evidence of a need to do so.

16.12 Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility.
- Directly related to the premises and the type of licence applied for, and/or related to the area where the premises are based.
- Fairly and reasonably related to the scale and type of premises; and,
- Reasonable in all other respects.

16.13 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures which the Council may consider. These include the use of door supervisors, supervision of adult gaming machines and appropriate signage for adult only areas. The Council will also expect the applicants to ensure that the licensing objectives are effectively met.

16.14 There are conditions which the Council cannot attach to premises licences which are:

- Any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
- Conditions relating to gaming machine categories, numbers or method of operation;
- Conditions which provide that membership of a club or body be required; and,
- Conditions in relation to stakes, fees, winnings or prizes.

## Door supervision

The Council may consider whether there is a need for door supervision in terms of the licensing objectives. Where door supervisors are required, it is the operator's responsibility to ensure that any persons employed in this capacity are fit and proper to carry out such duties.

## 17 Adult Gaming Centres and Licensed Family Entertainment Centres

- 17.1 Adult Gaming Centres (AGC's) are commonly found within town centre environments and are able to make category B, C and D gaming machines available to adults. Nobody under the age of 18 is permitted to enter an AGC.
- 17.2 Licensed Family Entertainment Centres (LFECs) are those premises which usually provide a range of amusements such as computer games and penny pushers. They may have a separate section set aside for adult only gaming machines with higher stakes and prizes and are able to make available a certain number of category C and D machines. Clear segregation must be in place so children do not access the areas where the category C machines are located.
- 17.3 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in the above premises. The Council will expect applicants to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to adult gaming centres or adult only gaming machine areas within the LFEC.
- 17.4 The Council will expect applicants to offer their own measures to meet the licensing objectives.
- 17.5 Appropriate measures/licence conditions may cover:
- Proof of age schemes (e.g. PASS schemes)
  - The use of Challenge 25 policy
  - The use of 'No ID No Entry' policy
  - CCTV
  - Staff supervision and training
  - Detailed plan
  - Social responsibility policies
-

- **Staff easily identifiable**
- Door supervision
- Supervision of machine areas
- Physical separation of areas
- Location of entry
- **Clear** Notices/signage
- Specific opening hours
- Staff training in the law and the provision of a named point of contact to help ensure compliance.
- Measures/training for staff on how to deal with suspected truanting school children and how to recognise signs of potential child sexual exploitation
- Clear policies that outline the steps to be taken to protect children from harm
- Self-exclusion schemes and the provision of leaflets/helpline numbers to organisations such as GamCare, the Responsible Gambling Trust or GambleAware etc.
- Ensure that there is a policy in place which addresses the Multi operator self exclusion scheme (MOSES)

This list is not mandatory nor exhaustive and is merely indicative.

## **18 Casinos**

- 18.1 The Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

## **19 Bingo Premises**

- 19.1 Bingo is not statutorily defined within the Gambling Act 2005. Such premises may however, provide cash and prize bingo. In addition, bingo premises are also able to provide a limited number of gaming machines in line with the provisions of the Act.

- 19.2 It is important that where children are allowed to enter Bingo premises, that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the operator must ensure that:
- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
  - Only adults are admitted to the area where the machines are located
  - Access to the area where the machines are located is supervised
  - The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
  - At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 19.3 Other measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.5 above.

## **20 Betting Premises**

- 20.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises.
- 20.2 The Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines and the nature and circumstances in which they are made available by attaching a licence condition to a betting premises licence. The Council is also aware that it is not possible to restrict the number of gaming machines which may be made available within betting premises.
- 20.3 When considering whether to impose a condition to restrict the number of betting machines in particular premises the Council, amongst other things, will take into account the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.
- 20.4 Measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.5 above.

## **21 Tracks**

- 21.1 Currently the licensing authority does not licence any tracks which permit on-course betting. Where an application for a track premises licence is proposed, the applicant should contact the Council's Licensing Unit at the earliest opportunity. The Council's focus will be on the need to protect children and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to premises are distinct. Children must be excluded from gambling areas where they are not permitted to enter.

## **22 Travelling Fairs**

- 22.1 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair.
- 22.2 The 27-day statutory maximum for the land being used as a fair is per calendar year. This applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. Where appropriate, the Council will liaise with neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

## **23 Provisional Statements**

- 23.1 The provisional statement process provides an alternative to making a premises licence application. The process permits an applicant to examine the likelihood of whether a building which has yet to be constructed or is about to be altered for the purpose of gambling would be granted a premises licence when the building work is complete.
- 23.2 A provisional statement is not a licence and merely gives the holder some form of assurance that a premises licence would be granted so the project can be started. Once works are complete a full premises licence would still be required.
- 23.3 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage or they reflect a change in the applicant's circumstances. In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- (a) which could not have been raised by objectors at the provisional licence stage; or

- (b) which in the Authority's opinion reflect a change in the operator's circumstances

23.4 When determining a provisional statement application the Council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

## **Part D - Permits, Temporary / Occasional Use Notices And Small Society Lottery Registrations**

### **24. Unlicensed Family Entertainment Centre Gaming Machine Permits**

24.1 The term 'Unlicensed Family Entertainment Centre' is one defined in the Act and refers to premises which provide category D gaming machines along with various other amusements such as computer games and penny pushers. The premises are 'unlicensed' in that they do not require a premises licence but do require a permit to be able to provide category D machines. It should not be confused with a 'Licensed Family Entertainment Centre' which does require a premises licence because it contains both category C and D gaming machines.

24.2 In accordance with Gambling Commission guidance, the Council will carefully consider child protection issues when considering applications for permits. This consideration will generally engage two of the three licensing objectives: These are:

- Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

24.3 The Council will expect applicants to show that there are policies and procedures in place to protect children from harm from gambling and to promote wider child protection issues as part of the crime prevention objective. Policies must include appropriate measures/training for staff regarding how staff would deal with unsupervised children being on the premises, or children causing problems on or around the premises.

24.4 The Council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that

are set out in Schedule 7 of the Act), and that staff are trained to have a full understanding of the maximum stakes and prizes.

- 24.5 The Council is aware that an application for a permit may only be granted if the Chief Officer of Police has been consulted on the application.
- 24.6 In line with the Act the Council cannot attach conditions to this type of permit and the statement of principles only applies to initial applications and not to renewals.

## **25 Gaming Machine Permits in premises licensed for the sale of alcohol**

- 25.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D. The premises merely need to notify the Council. The Council can remove the automatic authorisation in respect of any particular premises if:
- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
  - Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (ie that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant Code of Practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
  - The premises are mainly used for gaming; or
  - An offence under the Gambling Act has been committed on the premises.
- 25.2 If a premises wishes to have more than two machines, then application must be made for a permit. The Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005, and 'such matters as it thinks relevant'. The Council considers that 'such matters' will be decided on a case by case basis, but generally regard will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will also expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines



- 25.3 Measures which may satisfy the Council that there will be no access could include the adult machines being situated in close proximity to the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also help. Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as Gam Care.
- 25.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.
- 25.5 The Council can decide to grant the application with a smaller number of machines and/or a different category of machines from that applied for. Conditions (other than these) cannot be attached
- 25.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 25.7 A summary of gaming machine categories and entitlements can be found at Appendix B of the Guidance issued to licensing authorities by the Gambling Commission.

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>

## **26 Prize Gaming Permits**

- 26.1 The Council will expect the applicant to set out the types of gaming that he or she is intending to offer and be able to demonstrate:
- That they understand the limits to stakes and prizes that are set out in regulations;
  - That the gaming offered is within the law.
- 26.2 In making its decision on an application for prize gaming permits, the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 26.3 There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Council cannot attach conditions. The conditions in the Act are:
- The limits on participation fees, as set out in regulations, must be complied with

- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated, and the result of the game must be made public in the premises on the day that it is played
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

## **27 Club Gaming and Club Machines Permits**

- 27.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club gaming machines permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A club gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D).
- 27.2 To qualify for these special club permits, a members' club must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 27.3 Before granting the permit, the Council will need to satisfy itself that the premises meet the requirements of a members' club and that the majority of members are over 18 years of age.
- 27.4 The Council may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied
  - (b) the applicant's premises are used wholly or mainly by children and/or young persons
  - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities

- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Gambling Commission or the Police.

## **28 Temporary Use Notices**

- 28.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 28.2 The Act makes a special reference, in the context of temporary use notices, to a 'set of premises' to try and ensure that large premises which cannot reasonably be reviewed as separate are not used for more temporary use notices than permitted under the Act. The Council considers that the determination of what constitutes a 'set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a 'set of premises', the Council will look at, amongst other things, the ownership/occupation and control of the premises.
- 28.3 The Council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

## **29 Occasional Use Notices (for Tracks)**

- 29.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice.
- 29.2 The Council has very little discretion regarding these notices apart from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will however consider the definition of a 'track' and whether the applicant is entitled to benefit from such notice.

## 30 Small Society Lottery Registrations

- 30.1 The Act creates two principal classes of lotteries - licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries, there are four sub classes, one of which is small society lotteries.
- 30.2 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These may be administered by the Council for small societies who have a principal office in the area and wish to run such a lottery.
- 30.3 To be 'non-commercial', a society must be established and conducted:
- For charitable purposes
  - For the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
  - For any other non-commercial purpose other than that of private gain.
- 30.4 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'

## Part E - Enforcement

### 31 Enforcement Principles

- 31.1 The Council will work closely with other agencies in targeting known high risk premises. In doing so, the Council will follow Government guidance on better regulation.
- 31.2 The Council recognises that the Regulators Code applies to all activities under the Act. This will however, be most obvious in respect of the Councils inspection and enforcement duties and the powers to institute criminal proceedings. The Regulators' Code can be found at:  
<https://www.gov.uk/government/publications/regulators-code>
- 31.3 The Council will aim to be:

#### **Proportionate:**

Regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised.

**Accountable:**

Regulators must be able to justify decisions and be subject to public scrutiny.

**Consistent:**

Rules and standards must be joined up and implemented fairly.

**Transparent:**

Regulators should be open and keep regulations simple and user friendly.

**Targeted:**

Regulation should be focused on the problem and minimise side effects.

- 31.4 The Council's Enforcement Policy, which explains how the Council deals with non-compliance and unlawful gambling activity, can be found at:

<https://www.staffordbc.gov.uk/enforcement-policy>

- 31.5 Known enforcement issues which the Council's Licensing Unit will address include illegal gambling machines in takeaways and poker in pubs.
- 31.6 The Council will endeavour to avoid duplication with other regulatory regimes.
- 31.7 The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licence conditions and other permissions. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Gambling Commission. In circumstances where the Council believes a premises requires a premises licence for gambling activities and no such licence is in force, the Council will notify the Gambling Commission.
- 31.8 The Council will also have regard to any guidance issued and keep itself informed of developments regarding the work of the Regulatory Delivery Division of the Department of Business Innovation and Skills in its consideration of the regulatory functions of local authorities.

## **32 Reviews**

- 32.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked or suspended or that conditions may be amended or new conditions added.

32.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Council to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is:

- In accordance with any relevant Code of Practice issued by the Gambling Commission
- Reasonably consistent with the licensing objectives; and
- In accordance with this Authority's Statement of Gambling Policy.
- In accordance with any relevant guidance issued by the Gambling Commission

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>

32.3 In addition the Council may also reject the application on the grounds that the request is frivolous, vexatious, will not cause the authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.

32.4 The Council can also initiate a review of a licence on the basis of any reason which it thinks appropriate. This may for instance follow a second failed compliance test at the premises.

32.5 Before sitting as a member of the Licensing Sub Committee, members will need to attend a Gambling Act 2005 training session with officers from Legal Services and Licensing. Members will need to attend refresher training every year that they remain a member of the Licensing & Public Protection Committee.

### **33 Functions and Delegations**

A table showing the delegation of functions within the Council can be found at Appendix G of the Gambling Commission Guidance:

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>



(see below for those whose term ends in 2021 and the number of vacancies in each district)



Name	Address
Tel. No. home	
Tel No office	
E-mail	Postcode
	Parish

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Signed (Nominee)	Parish/Town Council
Signed (Clerk)*	Date

**TO BE RETURNED BY EMAIL to SPCA: [spca.parish@staffordshire.gov.uk](mailto:spca.parish@staffordshire.gov.uk) by NO LATER THAN 15<sup>th</sup> October, 2021**



## Executive Members whose term will end in 2021

Cllr	Henryk	Adamczuk	Newcastle-under-Lyme
Cllr	John	Bernard	Cannock Chase
Cllr	Nigel	Caine	South Staffordshire
Cllr	Isabella	Davies	Stafford
Cllr	Mark	Green	Stafford
Cllr	David	Hawley	Staffordshire Moorlands
Cllr	Tony	Holmes	Staffordshire Moorlands (Vice-President)
Cllr	Ron	Kinnersley	Staffordshire Moorlands
Cllr	Jayne	Marks	Lichfield
Cllr	Enrique	Mateau	Stafford
Cllr	Anthony	Minshall	South Staffordshire
Cllr	Hugh	Montgomery	East Staffordshire
Cllr	Wayne	Rogers	Staffordshire Moorlands

### Representation per District

Cannock Chase	2
East Staffordshire	5
Lichfield	5
South Staffordshire	5
Stafford	7
Staffs Moorlands	6
Newcastle	2

### No of vacancies for nomination

Cannock Chase	1
East Staffordshire	2
Lichfield	3
South Staffordshire	3
Stafford	3
Staffs Moorlands	4
Newcastle	1

# STAFFORDSHIRE PARISH COUNCILS' ASSOCIATION

## 81st Annual General Meeting – 6<sup>th</sup> December 2021 at 7.00pm

Unless advised to the contrary the meeting will be held utilising 'Zoom'

### Motions for Debate

**To be emailed** to Staffordshire Parish Councils' Association,  
at [spca.parish@staffordshire.gov.uk](mailto:spca.parish@staffordshire.gov.uk) no later than 5<sup>th</sup> November 2021.

If your Council wishes any motion(s) to be put forward, then please complete the details below giving the name of the person/member/clerk, who will move the motion(s).

**Please note that they will be expected to 'attend' the AGM and speak.**

---

.....Parish/Town Council wishes to propose the following motion(s) for debate at the Annual General Meeting of the Association on 6<sup>th</sup> December 2021 at 7.00pm

**Motion:**

**Proposer** ..... **Date**.....

---

Your Council should find a council willing to second the motion and may wish to seek the support of the other Parish Councils in its District.

**Seconder** (*Parish/Town or Area Committee*)

..... **Date**.....

..... **Parish Council**

Date: 13/09/2021

Time: 11:42:35

## Stone Town Council - Payments

Page: 1

The table below lists payments made by the Council in the period since the last report, for the Committee's information.

The table includes payments by cheque, direct debit, PayPal, telephone banking and online banking. It excludes salary and related payments, payments from the Mayor's Charity, and transfers between the Council's bank accounts, which can be seen by any Member on request. All amounts exclude VAT.

Payment Date From : 01/08/2021

Payment Date To : 31/08/2021

<u>Payment Date</u>	<u>Reference</u>	<u>Supplier</u>	<u>Description</u>	<u>Amount (£)</u>
14/08/2021	INV102262239	Zoom Video Comm Inc	Zoom Subscription Aug/Sep 2021	47.96
09/08/2021	SINV00516797	J G Fenn Ltd	Holiday Planner 2022	3.12
03/08/2021	SINV00516051	J G Fenn Ltd	Blue A4 Copier Paper	8.91
19/08/2021	164010907	World Pay	Worldpay Safer Payments / Dashboard Monthly Fee	9.99
19/08/2021	163864723	World Pay	Worldpay Managed Service Fee	12.50
17/08/2021	16094	Greenbarnes Ltd	Double sided noticeboard	3,542.14
26/08/2021	6367115	Water Logic	Water Cooler Rental July 2021	6.05
26/08/2021	6347799	Water Logic	Water Cooler Rental July 2021	5.50
03/08/2021	SINV00515385	J G Fenn Ltd	Diaries and Planners for 2022	16.31
20/08/2021	742962701/001/08	Virgin Media Business	Office leased lines / calls Jul / Aug 2021	54.43
24/08/2021	14390	Call Handling Services Ltd	Call Handlin Service - Stone Helpline Jul 2021	9.42
17/08/2021	050821	BMA Window Cleaner	Window Cleaning August 2021	65.00
17/08/2021	050821	BMA Window Cleaner	Window Cleaning August 2021	25.00
24/08/2021	743014903/001/08	Virgin Media Business	Broadband Aug / Sep 2021	50.00
31/08/2021	VEO1081893	Veolia ES (UK) Ltd	Waste Removal July2021	58.21
31/08/2021	VEO1081892	Veolia ES (UK) Ltd	Waste Removal July 2021	70.21
09/08/2021	INV05149700	Water Plus	Water Newcastle Rd Allots May to July 2021	28.92
26/08/2021	6367116	Water Logic	Cooler Rental - Main Offices Jul 2021	12.71

Date: 13/09/2021

Time: 11:42:35

## Stone Town Council - Payments

Page: 2

<u>Payment Date</u>	<u>Reference</u>	<u>Supplier</u>	<u>Description</u>	<u>Amount (£)</u>
04/08/2021	INV-0561	Current Electrical & Property Services	Marquee Set up July 2021	1,255.00
16/08/2021	991433080	British Gas	Elec Supply - Amphitheatre June & July 2021	20.63
17/08/2021	SI-152412	Mailing room	Franking Machine Annual Maint Contract to 25/09/22	176.40
25/08/2021	145262	Prism Solutions	Prism Monthly Service Charge Sep 2021	638.88
23/08/2021	713412021107587	Pozitive Energy	Gas Usage July 2021	44.56
23/08/2021	713392021107545	Pozitive Energy	Elec Usage July 2021	155.64
23/08/2021	713402021107587	Pozitive Energy	Gas Usage July 2021	31.79
23/08/2021	713382021107592	Pozitive Energy	Elec Usage July 2021	121.93
23/08/2021	0000155906	Canal & River Trust	Water Pipe in Towpath Newcastle Rd Annual Rent to	250.00
02/08/2021	66256	Prism Solutions	Line rental July 2021	46.69
02/08/2021	66256	Prism Solutions	Line rental July 2021	44.45
17/08/2021	032948	MEB Total Ltd	Call out to boiler leak - pressurizstion unit	81.72
18/08/2021	EU-01945190	Opayo by Elavon	Opayo Fee July 2021	15.00
06/08/2021	V01898153001	EE	Mobile Phone Charges Aug 2021	22.99
06/08/2021	V01898153001	EE	Mobile Phone Charges Aug 2021	21.53
06/08/2021	V01898153001	EE	Mobile Phone Charges Aug 2021	21.73
09/08/2021	1836232	British Gas	Elec Supply - Pillar 1 High Street	12.42
19/08/2021	INV-408745	AutoEntry	AutoEntry Monthly Sub Aug 2021	9.00
17/08/2021	508888594	Zurich Municipal	Heritage Centre - Insurance 01/06/21 to 31/05/22	784.00
11/08/2021	1842409	British Gas	Elec Supply - amended charges Nov 2019 to Jul 2021	6.74
03/08/2021	21518	West Midlands Employers	WM Employers - Corporate Mship Bronze 2021/22	500.00
03/08/2021	SBC Rates	Stafford Borough Council	SBC Rates Aug 2021 FJC`	434.00
03/08/2021	SBC Rates	Stafford Borough Council	SBC Rates Aug 2021 Station	225.00
03/08/2021	SBC Rates	Stafford Borough Council	SBC Rates Aug 2021 Mkt Sq	35.00
04/08/2021	DC Payment	Portal Plan Quest (the Planning Portal)	Online Planning Application - Christmas Lights 2021	231.00
04/08/2021	DC Payment	Portal Plan Quest (the Planning Portal)	Online Planning Application Service Fee Xmas Lights	23.33

Date: 13/09/2021

Time: 11:42:35

## Stone Town Council - Payments

Page: 3

<u>Payment Date</u>	<u>Reference</u>	<u>Supplier</u>	<u>Description</u>	<u>Amount (£)</u>
06/08/2021	Grant Payment	Florence Brass	Grant Award to Florence Brass	500.00
30/08/2021	DC Payment	Love Tablecloths	15 x tablecloths for Civic Events	154.02
24/08/2021	Donation	Oak Tree Farm Rural Project	Allotment Judging Fee 2021 donated to Oak Tree Farm	75.00
17/08/2021	IL/2178	Lowe & Elliott	Insurance Valuation - former Fire Station	200.00
				<u>10,164.83</u>



**Town Clerk**

Les Trigg

**Tel: 01785 619740**

**Email: [clerk@stonetowncouncil.gov.uk](mailto:clerk@stonetowncouncil.gov.uk)**

15 Station Road  
STONE  
ST15 8JP

28 September 2021

Dear Councillor,

A meeting of the **GENERAL PURPOSES COMMITTEE** will be held in the **Council Chamber at 15 Station Road, Stone**, on **TUESDAY 5 OCTOBER 2021 at 7:05pm** or on the rising of the Council Meeting, if later.

The agenda is set out below and I trust you will be able to attend.

Attendees are asked to wear face masks other than when taking part in the meeting.

Les Trigg  
Town Clerk

**AGENDA**

1. **To receive apologies for absence**
2. **Declarations of Interest**
3. **Requests for Dispensations Received**
4. **To receive a report from County Councillors representing Stone Town**
  - County Councillor Mrs J. Hood
  - County Councillor I. Parry
5. **To receive a report from Borough Councillors representing Stone Town**
6. **Representations from Members of the Public**

To consider representations from members of the public on items to be considered at this meeting, in accordance with the Council's scheme of public participation.

**7. Minutes of Previous Meetings**

- a) To confirm as a correct record the minutes of the meeting of the General Purposes Committee held on 7 September 2021, Minute No's GP22/056 – GP22/078 (attached).

**8. Minutes of Sub-Committees**

- a) Tourism & Town Promotion Sub-Committee held on 31 August 2021, Minute Numbers TTP22/008 – TTP22/017 (attached)
  - i. To consider the draft minutes
  - ii. To consider the Recommendations contained in Minute Number TTP22/012, TTP22/013, TTP22/015 and TTP22/016
- b) Environmental Sub-Committee held on 31 August 2021, Minute Numbers ENV22/007 – ENV22/013 (attached)
  - i. To consider the draft minutes
  - iii. To consider the Recommendations contained in Minute Number ENV22/011

**9. To consider the following requests for grants from local organisations:**

- **1<sup>st</sup> Stone Scout Group**
- **Doulas Macmillan Hospice**

**10. Review of Standing Orders**

To consider the report of the Town Clerk (attached to the electronic version of the agenda) which was originally circulated to the previous meeting of this Committee.

**11. Review of Financial Regulations**

To consider the report of the Town Clerk (attached to the electronic version of the agenda) which was originally circulated to the previous meeting of this Committee.

**12. Code of Conduct**

To consider the revised Code of Conduct which is based on the updated Local Government Association Model.

The revised Code of Conduct is attached to the electronic version of the agenda.

**13. Drinking Water Machines**

To consider the provision of cold water drinks dispensers at the Town Council's office and community centres.

**14. Gambling Act 2005 – Draft Statement of Principles 2022 to 2025**

To consider a Stafford Borough Council consultation seeking views on the statement of the principles it proposes to apply when exercising its functions under the Gambling Act 2005.

An email from the Licensing Manager at Stafford Borough Council is attached. The Gambling Act 2005 Draft Statement of Principles 2022 – 2025 is attached to the electronic version of the agenda.

**15. Nominations for SPCA Executive and AGM arrangements**

To consider nominations for election of representatives to the SPCA Executive at the Association's AGM on the evening of 6<sup>th</sup> December 2021. Nominations should reach the SPCA office by no later than Friday, 15 October. A copy of the nomination form is attached.

Member Councils are also invited to put forward motions for debate at the AGM which is envisaged will be held using Zoom. If it is felt appropriate nearer the time to hold a face-to-face meeting, further details will be advised in due course. The related proposal form is attached.

The calling papers for the 81<sup>st</sup> AGM, together with copies of the Association's Annual Report, will be made available in due course.

**16. Members' Motion under Standing Order 4**

**Councillor Mrs Kerry Dawson**

*"I've been looking into ways we can get young people more involved in the Council and the things that we do. As part of this research, I have identified a potential role for a number of "Student Advisors" who would support the Council at appropriate meetings by providing advice from the perspective of younger people.*

*I would ask the Council for its support for me to work with the Town Clerk and local schools to put together a proposal which can be considered by this Committee and, if supported, implemented at the Annual Meeting in May 2022."*

**17. Members' Motions under Standing Order 4**

**Councillor Steve Walley**

*"I would like to commence holding surgeries as a Town Councillor, for the residents of Stonefield and Christchurch Ward.*

*An ideal location would be the Frank Jordan Centre, and would propose that the Committee agree to use of the Centre free of charge for this purpose."*

**18. Town Council Payments**

To receive a list of payments made by the Council during the period 1<sup>st</sup> to 31 August 2021 (attached).

**19. Update from Working Groups:**

- a) Neighbourhood Plan Steering Group
- b) Stone Area Parish Liaison Group
- c) Stone Heritage Centre Steering Committee



**20. To receive reports from Town Councillors on attendance at meetings of local organisations and outside bodies as a representative of the Town Council**

Stone ATC – Town Mayor & J. Davies

Age Concern Stone & District – Cllrs J. Davies and C. Thornicroft

Stafford & Stone Access Group – Cllr T. Kelt

Stone Common Plot Trustees – Cllrs: Mrs L. Davies, Mrs J. Hood, T. Kelt and R. Kenney

Stone Community Hub Liaison Group – Cllrs: Mrs L. Davies, Mrs J. Hood & J. Powell

SPCA Executive Committee – Cllr M. Green

**21. Exclusion of the Press and Public**

**To resolve, pursuant to the Public Bodies (Admission to Meetings) Act 1960, that the Public and Press be excluded from the meeting whilst the next items of business are discussed on the grounds that publicity would be prejudicial to public interest by reason of the confidential nature of the debate.**

**22. To consider a proposal from the Stone Traders Association to hold a Christmas Market in the High Street**

Members of the public are welcome to attend the General Purposes Committee meeting as observers and/or to make representations to the committee in accordance with the Council's scheme of public participation. Details of the scheme are displayed in the Council's notice boards and website.

# Stone Town Council – General Purposes Committee

## Minutes of the meeting held in St Michael's Suite at the Frank Jordan Centre, Lichfield Street, Stone, on Tuesday 7 September 2021

**PRESENT:** Councillor R. Kenney in the Chair, and  
Councillors: K. Argyle, A. Best, Mrs A. Burgess J. Davies, Mrs L. Davies, J. Hickling,  
Mrs J. Hood, T. Kelt, P. Leason, J. Powell, C. Thornicroft and S. Walley

**ABSENT:** Councillors:, Mrs K. Dawson, I. Fordham, M. Green, M. Hatton and R. Townsend

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**GP22/056     Apologies**

Apologies were received from Councillors: Mrs K. Dawson, I. Fordham, M. Green and R. Townsend.

**GP22/057     Declarations of Interests**

Councillor A. Best declared a personal interest in agenda item 9 (Minute Number GP22/064) – Grant aid to local organisations: Christ Church School.

**GP22/058     Requests for Dispensations**

None

**GP22/059     To receive the report of the County Councillors**

**County Councillor Mrs J. Hood**

The Chairman invited Councillor Mrs Hood to address the Committee.

Covid-19 Community Recovery Fund

Councillor Mrs Hood advised the Committee that she had been given a Covid-19 Community Recovery Fund for allocation to voluntary groups and organisations that had not been able to raise funds through the lockdown. She invited Town Councillors to suggest that local groups of any type (as long as they are voluntary) contact her. Further information about the opportunity was also available online.

**County Councillor I. Parry**

Councillor Parry was not in attendance at the meeting.

**GP22/060     To receive the report of Borough Councillors**

The Chairman informed the Committee that no report was available from Borough Councillors representing Stone.

**GP22/061     Representations from Members of the Public**

None

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

**GP22/062     Minutes**

RESOLVED:

- a) That the minutes of the General Purposes Committee meeting held on 3 August 2021 (Minute Numbers GP22/038 – GP22/055), be approved as a correct record.

**GP22/063     Minutes of Sub-Committees**

- a) Estates Sub-Committee held on 27 July 2021 (Minute Numbers EST22/001 – EST22/008), that the draft minutes be noted and the recommendations of the Sub-Committee contained in Minute Numbers EST22/005 and EST22/008 be adopted.
- b) Management Sub-Committee held on 27 July 2021 (Minute Numbers MAN22/001 – MAN22/010), that the draft minutes be noted and the recommendations of the Sub-Committee contained in Minute Number MAN22/005 be adopted.

**GP22/064     Requests for Grants from Local Organisations**

**Christ Church First School - £500**

The Committee considered the grant application from Christ Church First School requesting £500 towards the installation of a bike and scooter park which formed part of broader improvement scheme to enhance the appearance and facilities of the school playground.

RESOLVED: To award £500 to Christ Church First School.

**GP22/065     Review of Standing Orders**

The Committee undertook to review the Council's Standing Orders\* which had been circulated with the agenda for the meeting. The document had been reviewed by the Town Clerk, who had proposed revisions in respect of updated regulations and the consolidation, where appropriate, of temporary changes made during the pandemic. There had also been some revisions made to improve English and readability which have no material effect on the document.

RESOLVED: To defer consideration of the revised Standing Orders until the next meeting of this Committee in accordance with normal practice.

**GP22/066     Review of Financial Regulations**

The Committee undertook to review the Council's Financial Regulations\* which had been circulated with the agenda for the meeting. The document had been reviewed by the Town Clerk, who proposed changes to Regulations 5.7b (to produce a report of all payments to each ordinary meeting of the General Purposes Committee), Regulation 5.10 (to allow payments to be made using PayPal) and Regulation 10.3 (relating to procurement, reflecting Britain's exit from the European Union and the latest contract threshold figures).

RESOLVED: To defer consideration of the revised Financial Regulations until the next meeting of the Committee in accordance with normal practice.

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

**GP22/067     Budget Monitoring Report – July 2021**

The report of the Town Clerk was noted.

**GP22/068     Stone Heritage Centre – Project Governance**

The Committee considered the report\* of the Town Clerk on the governance arrangements for the Stone Heritage Centre project and recommendations for an appropriate structure to the Committee.

The Town Clerk advised the Committee of the decisions already taken by him under delegated powers which included insuring the Fire Station as a vacant building, the appointment of Byatt Oliver as architects for the project and the appointment of Meddings Associates and Hindsight Heritage as interior design and concept consultants.

RESOLVED: That the Town Council:

- a. Replaces the current Heritage Centre Working Group with a Heritage Centre Steering Group, operating as proposed within the report.
- b. Adopts the terms of reference annexed to the report for the Steering Group.
- c. Appoints Councillor Leason as the Vice Chairman of the Steering Group.
- d. Notes the decisions already taken by the Town Clerk under delegated powers.

**GP22/069     Stone Heritage Centre Steering Group – Appointment of Co-Opted Non-Councillor Member**

RESOLVED: To appoint Helen Frost as a co-opted non-Councillor member of the Stone Heritage Centre Steering Group.

**GP22/070     Covid-19 Commemoration**

The Committee considered how the Town Council should commemorate the lives of local people affected by Covid-19.

The Committee suggested planting a number of trees on the Tilling Drive park in order to create an area of reflection for everyone touched by Covid-19. As well as loved ones that have been lost, people could reflect in situations such as university students not having an opportunity to experience their formal graduation, school children who have missed two years of schooling and babies born to grandparents who were unable to see them.

As an alternative, the Committee also suggested planting trees on the Town Council's land situated adjacent to Crown Meadow on the left side of Trent Close.

The Committee suggested installing a seat or bench, something similar to the seat designed by the sculptor, Philip Hardacre.

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

RESOLVED: That an area of reflection is created through tree planting on the Town Council's land, adjacent to Crown Meadow, to the left of Trent Close.

RESOLVED: That the Environment Sub-Committee is asked to oversee the tree planting project in consultation with the Borough Council's Biodiversity Officer.

**GP22/071     Queen's Platinum Jubilee**

The Committee considered the setting up, membership and terms of reference of a Queen's Platinum Jubilee Working Group.

RESOLVED: That a Queen's Platinum Jubilee Working Group be set up under the leadership of the Tourism & Town Promotions Sub-Committee.

RESOLVED: That the membership of the Queen's Platinum Jubilee Working Group consist of:

Councillors: J. Davies, Mrs J. Hood, R. Kenney, P. Leason and J. Powell.

**GP22/072     Christmas 2021**

The Committee considered the purchase of illuminated Christmas trees to be installed in the High Street during the festive season in 2021. It was noted that the item had been considered and recommended by the Tourism and Town Promotion Sub-Committee at its meeting on 31<sup>st</sup> August 2021, at a cost of £2,500.

The Town Clerk confirmed that there was enough unspent money in the Tourism & Town Promotion Sub-Committee budget and it would not be necessary to approve additional budgetary provision for this expenditure.

RESOLVED: That the Town Council purchase illuminated Christmas trees to be installed in the High Street during the festive season in 2021.

**GP22/073     Town Council Payments**

RESOLVED: To note the list\* of Town Council payments made during the period 1 to 30 July 2021.

Councillor Mrs Hood noted the rental payments for water dispensers, and asked whether the Town Council could go back to providing water which had been taken away for safety reasons during the Covid-19 period.

Some members suggested that the water machines should not be replaced for environmental reasons and the Chairman requested that the item be listed on the next General Purposes Committee agenda.

**GP22/074     Update from Working Groups:**

**Neighbourhood Plan Steering Group**

Councillor Mrs Hood advised the Committee that no meeting of the Steering Group had taken place.

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

#### **Stone Area Parish Liaison Group**

Councillor J. Davies informed the Committee that the next meeting of the Stone Area Parish Liaison Group would be held in October. He said that he was beginning a tour around some of the neighbouring parishes to encourage them to get more involved and he would be attending a meeting of Fulford Parish Council on Thursday.

#### **Heritage Centre Working Group**

Councillor Leason advised the Committee that a meeting of the collection of Sub-Groups of the Heritage Centre Working Group had taken place yesterday and had considered the road map in relation to when things should be done. The Group also looked at allocating areas of responsibility to people regarding the collection and interests.

#### **GP22/075     To receive reports from Town Councillors on attendance at meetings of local organisations and outside bodies as a representative of the Town Council**

##### **Stone ATC**

Councillor Davies advised the Committee that he had given his report on the last ATC meeting at the last meeting of the General Purposes Committee. He said that he had been delighted to see Stone ATC at the Farmers' Market on Saturday.

##### **Age Concern Stone & District**

Councillor Thornicroft advised the Committee that there had been no meeting.

##### **Stafford & Stone Access Group**

Councillor Kelt advised the Committee that there had been no meeting.

##### **Stone Common Plot Trustees**

Councillor Kenney confirmed that there had been no further meetings but he reported that there were numerous diseased trees (affected by Ash Dieback) on the Plot and work had been started on removing and trimming them as and when necessary.

##### **Stone Community Hub Liaison Group**

Councillor Mrs Hood, Councillor Mrs Davies and Councillor Powell confirmed that no meetings had taken place.

##### **SPCA Executive Committee**

Councillor Green was not available to provide a report.

**The meeting was temporarily suspended and then reconvened after the open session of the Planning Consultative Committee meeting had taken place.**

#### **GP22/076     Exclusion of the Press and Public**

**To resolve, pursuant to the Public Bodies (Admission to Meetings) Act 1960, that the Public and Press be excluded from the meeting whilst the next items of business are discussed on the grounds that publicity would be prejudicial to public interest by reason of the confidential nature of the debate.**

RESOLVED: To exclude the Press and Public from the next items of business.

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

**GP22/077      Confidential Minutes**

RESOLVED:

- a) That the Confidential Minutes of the General Purposes Committee meeting held on 3 August 2021 (Minute Numbers GP22/038 and GP22/055), be approved as a correct record.

**GP22/078      Confidential Minutes and recommendations of Sub-Committees**

- a) Estates Sub-Committee meeting held on 27 July 2021, Minute Numbers EST22/001 and EST22/008.

RESOLVED:

- i. To note the draft minutes
  - ii. To approve the recommendations contained in Minute Number EST22/008
- b) Management Sub-Committee Meeting held on 27 July 2021, Minute Numbers MAN22/001 and MAN22/010.

RESOLVED:

- i. To note the draft minutes

**CHAIRMAN**

# Stone Town Council – Tourism & Town Promotion Sub-Committee

## Minutes of the meeting held in the Council Chamber, 15 Station Road, Stone, on Tuesday 31 August 2021

**PRESENT:** Councillor Mrs J. Hood in the Chair and  
Councillors: A. Best, J. Davies, Mrs L. Davies, R. Kenney, P. Leason, J. Powell and  
C. Thornicroft

By Chairman's invitation: Councillor R. Townsend

**ABSENT:** Councillors: I. Fordham and M. Green

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**TTP22/008     Apologies**

Councillors: I. Fordham and M. Green

**TTP22/009     Declarations of Interest and Requests for Dispensation**

None received

**TTP22/010     Representations from Members of the Public**

None

**TTP22/011     Minutes of Previous Meeting**

The minutes of the Tourism & Town Promotion Sub-Committee meeting held on the 6 July 2021 (Minute Numbers TTP22/001 – TTP22/007), were approved as a correct record.

**TTP22/012     Tokyo 2020**

The Sub-Committee acknowledged the wonderful achievements of local Canoeist Adam Burgess who finished fourth in the Olympic Games recently held in Tokyo.

The Sub-Committee recognised the hard work of both Adam and the Stafford and Stone Canoe Club, a fantastic organisation whose achievements are world standard and bring tremendous honour to the town.

RECOMMENDED: That a congratulatory letter is sent to Adam Burgess in recognition of his personal achievements and those of Stafford and Stone Canoe Club in the Olympic Games 2021.

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.



The Sub-committee considered the events schedule for the remainder of 2021 and plans for 2022.

St Georges Day Event

The Chairman advised the Sub-Committee that the Knights involved in the St George's Day program had suggested holding an event on 25 September 2021.

The Town Clerk confirmed that the event could be agreed under delegated powers as there wouldn't be time for approval by the General Purposes Committee.

Christmas Lights Switch-On

The Chairman invited the Sub-Committee to consider whether a physical Christmas Lights Switch-On should be held in the High Street this year on Thursday 18 November 2021.

The Chairman reminded the Sub-Committee that the Switch-On was one of the most popular events in the year and asked members to consider how the Town Council should mark the start of the festive season in 2021.

The Chairman raised questions about whether families would be confident enough to attend a live event in the High Street this year and asked the Sub-Committee to consider whether it wished to take responsibility for the risks relating to Covid-19.

The Sub-Committee discussed the pros and cons of holding a physical Christmas Lights Switch-On, including both their concern about the potential for large attendances, as in previous years, where people have no choice but to stand in close proximity, and the desire to return to some sort of normality.

The Sub-Committee explored different approaches to holding a physical Switch-On event, and expressed their appreciation for the superb Virtual Christmas Lights Switch-On in 2020 which had reached more people than a physical event including people from all across the world.

The Town Clerk advised the Sub-Committee that if it wanted to hold a live event, preparations would need to begin imminently in order to secure the necessary services such as staging. He also advised that some costs would (most likely) be incurred from the outset even if the Town Council later decided not to proceed.

RECOMMENDED: That the Christmas Lights Switch-On is delivered virtually in 2021 and that the preparations for a live event in the High Street are not progressed.

Queen's Platinum Jubilee

The Chairman invited the Town Clerk to update the Sub-Committee.

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

The Town Clerk advised the Sub-Committee that preparations for the Beacon Lighting on Thursday 2 June 2022 had commenced and a bugler and a bagpiper had been secured to perform.

The Town Clerk suggested that the Sub-Committee consider appointing a working group to determine the direction and shape of the Queen's Platinum Jubilee celebrations.

The Sub-Committee received a report that the architect at St Michael & St Wulfad's Church had been concerned about the fixing of the beacon to the roof and the Town Clerk was asked to write to the PCC at the Church.

RECOMMENDED: That the General Purposes Committee is asked to consider the arrangements for a Queen's Platinum Jubilee Working Group.

**TTP22/014      Christmas Lights**

The Chairman invited the Town Clerk to give an update on the 2021 Christmas lighting provision at Walton shops.

The Town Clerk reminded the Sub-Committee that the proposal for Walton shops was to erect two eight metre poles at the entrance to the car park to support curtains of lights that will run across to the tops of the shops. He advised the Sub-Committee that he had placed an order for a company to supply the poles and to put the holes in the ground. However, as the poles are higher than four meters, he has also needed to submit a planning application to Stafford Borough Council.

The Town Clerk further advised that he had submitted the planning application at the beginning of August, but did not know when it would be decided. He was investigating whether he would be able to use the legislation which permitted temporary use of the land for up to 28 days if the decision was delayed, but acknowledged that this could result in the removal of the lights before the Christmas period was over.

**TTP22/015      Christmas Trees**

The Sub-Committee considered the purchase of Christmas trees for the festive season.

RECOMMENDED: That the Town Council purchases illuminated Christmas trees to be installed in the High Street in 2021, to include the batteries to power them and all other costs to the maximum value of £2,500.

**TTP22/016      Floral Displays in Stone**

The Sub-Committee recognised the work of the Streetscene staff who had produced exceptional floral displays in the town this summer. The boxes on the

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

railings, the podiums, hanging baskets, displays in Stonefield Park and in the whole of the town had been a delight.

RECOMMENDED: That the Town Council writes to the Streetscene Team to say thank you for the exceptional floral displays in Stone.

**TTP22/017      Reports from Working Groups**

To receive reports from Working Groups:

**Remembrance Plaques Working Group**

Councillor J Davies advised the Sub-Committee that Oak Tree Farm was beginning to come back into action after the Covid-19 pandemic.

He advised the Sub-Committee that in preparation for working with Oak Tree Farm he has sent out to the Working Group the first cut of the design which followed the design of the traditional blue wall plaque.

Councillor Davies advised the Sub-Committee that obtaining the addresses of the soldiers who served in World War 2 (those commemorated on the war memorial) was proving challenging. The Stone Historical and Civic Society have the details of the soldiers who died in the First World War but no details for World War 2.

The Sub-Committee asked whether the Conservation Officer's permission would be required before installing the wall plaques and Councillor Davies confirmed that the point was listed for investigation.

**Promotion of Stone Working Group**

The Town Clerk advised the Sub-committee that although the Promotion of Stone Working Group had been transferred from the General Purposes Committee, some other working groups had been dissolved on the basis that their work would be consumed by this Group.

The Town Clerk confirmed that the configuration of the Working Group should be listed as an agenda item for consideration at the next meeting of the Sub-Committee.

The Chairman advised the Sub-Committee that it would be asked to consider co-option of members to the Working Group.

**Chairman**

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\* Items marked with an asterisk refer to reports or papers circulated with the agenda or distributed at the meeting. They are attached as an appendix to the signed copy of the Council minutes.

# Stone Town Council – Environment Sub-Committee

## Minutes of the meeting held in the Council Chamber, 15 Station Road, Stone, on Tuesday 31 August 2021

**PRESENT:** Councillor P. Leason in the Chair and  
Councillors: K. Argyle, Mrs A. Burgess, T. Kelt, R. Kenney, J. Powell and  
R. Townsend

By Chairman's invitation: Councillors J. Davies and Mrs J. Hood

**ABSENT:** Councillors: Mrs K. Dawson and M. Hatton

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**ENV22/007     Apologies**

Councillors: Mrs K. Dawson

**ENV22/008     Declarations of Interest and Requests for Dispensations**

None received

**ENV22/009     Representations from Members of the Public**

None

**ENV22/010     Minutes of Previous Meeting**

The minutes of the Environment Sub-Committee meeting held on the 6 July 2021 (Minute Numbers ENV22/001 – ENV22/006), were approved as a correct record.

**ENV22/011     Environment Policy**

The Sub-Committee considered the Environment Policy\* which had been enclosed with the agenda for the meeting.

The Sub-Committee raised questions about the Policy's implications on the Town Council's tendering process, making it complex for bidders, adding costs and potentially reducing the pool of suppliers.

The Town Clerk advised the Sub-Committee that the policy would not present a significant financial risk to the Town Council as the tendering process is only used infrequently and the Council would retain the opportunity to make individual decisions. The Council would not be obliged to accept any specific terms and would be able to balance environmental and financial consequences.

The Sub-Committee sought clarification from the Town Clerk on a number of

points in the draft Environment Policy and the following amendments were agreed:

5.9f. *Request roadside, verges, footpaths be kept clear and tidy.*

Delete the whole line

5.9g. *Consider street design, including road closures for play and school safety.*

Insert the word 'road' before the word 'closures'.

The Chairman asked that the Allotments Policy be reviewed on the next agenda.

RECOMMENDED: That the General Purposes Committee is asked to adopt the revised Environment Policy.

## **ENV22/012 Crown Meadow Improvements**

The Sub-Committee considered the update (which had been enclosed with the agenda for the meeting) on the work being undertaken by the Council's Grounds Maintenance Contractor on Crown Meadow.

### First Walk

The Chairman advised the Sub-Committee that two walks had taken place on Crown Meadow and following the first walk the Biodiversity Officer had confirmed in a letter that management of the wetland scrapes had been successful. The Biodiversity Officer suggested that consideration could be given to an annual hay cut with the cuttings removed to prevent nutrition building up. This would maintain the diversity of wild flowers and create light and space for the plants to develop.

The Biodiversity Officer also suggested that in September, 50% of each scrape is cut with the cuttings removed, followed by the remaining 50% cut the year after. The two year rotation would give space and help control the Willow and other dominant species.

The Chairman suggested asking the grounds maintenance contractor for an estimate of the cost of the work.

### Second Walk

The Chairman reported on the observations and recommended actions noted during the second walk of Crown Meadow which were:

- The Perspex in the information board is dirty and obscure.
- A second information board should be installed near to the footbridge.
- Volunteers are recruited to sand and repaint the benches.
- To contact the river authority about the fallen Ash tree which could cause problems with debris build up and flooding.
- That the Himalayan Balsam is controlled by volunteers or through the creation of a 'Friends of Crown Meadow'.
- Install picnic benches on the field next to Crown Meadow.

The Sub-Committee made the following comments in response to the observations/recommendations:

- Working with volunteers can be problematic.
- The Ash tree is full of wildlife and has been in the river for a number of years.
- Himalayan Balsam needs to be cleared from upstream.
- The natural resource of Balsam should not be taken away without replacing it with something else.
- Cutting half of the scrapes each year may keep the Balsam in check.

The Sub-Committee concluded that professional advice would be sought from the Biodiversity Officer on how to best manage the Himalayan Balsam. A recommendation on the varieties of flower species to plant would also be requested. The Chairman said that he would provide a report at the next meeting of the Committee.

Councillor Mrs Hood informed the Sub-Committee that she felt the previous reports on the removal of trees had been misleading as these were actually whips and saplings. She said the Environment Sub-Committee had not recommended the removal of mature trees (except in respect of the removal/replanting program to screen M & S).

The Sub-Committee agreed that more accurate detail and clarification was needed as it was important to give the correct work instructions to the grounds maintenance contractor.

#### **ENV22/013     Reports of Working Groups**

##### **a)     Plastic Free Community/Single Use Plastics Working Group**

The Chairman invited Councillor Townsend to provide a verbal report on the work of the Single Use Plastics Working Group.

Councillor Townsend advised the Sub-Committee that the next area of work for the Working Group would be implementation of the Environment Policy.

He confirmed that a further meeting would be held with the Borough Council to properly understand their policies/practices on the reduction and recycling of single use plastics and to agree how that could be implemented across Stone.

##### **b)     Environmental Issues Working Group**

The Chairman invited Councillor Kelt to provide a verbal report on the work of the Environmental Issues/Climate Working Group.

Councillor Kelt advised the Sub-Committee that a meeting had taken place several weeks ago and a number of actions agreed. On the advice of the Town Clerk most actions could be implemented straight away with the need to obtain costings and approval of the General Purposes Committee on others.

Councillor Kelt advised the Sub-Committee that the Working Group would proceed with some of the agreed actions which would involve working with Stafford Borough Council on areas of common concern.

Councillor Kelt said that the working group would also be making contact with Walton Priory Middle School (who had responded to its letter about environmental issues) to talk about the activities the children were doing.

**Chairman**

# Application for Grant Aid



Name of organisation:

1st Stone Scout Group

Purpose of organisation:

To provide Scouting opportunities for young people in Stone District.

Amount of grant requested:

Click or tap here to enter text.

Total cost of project (if appropriate):

Click or tap here to enter text.

Reason for grant request:

The Pump House is undergoing further renovations to improve the space and safety. During these renovations we discovered an issue with the floor which has resulted in a hole forming. Stafford Borough Council are dealing with this but it means we are currently unable to use the main hall and have been continuing with Scouting activities outside. There is no completion date for this as yet.

With the weather drawing in we have approached the Town Council to see if we can use the Frank Jordan Centre and/or Station for our meetings instead. This grant is to respectfully ask the Town Council to cover the hire fees for Beavers, Cubs, Scouts and the Scout and Guide Band until we are able to use The Pump House once again.



Benefits to Stone residents:

1<sup>st</sup> Stone Scout Group has given local young people the opportunity to learn new skills and face new challenges, which will help them in their adult lives, for almost 100 years. We will be continuing this for many years to come and, with your help, we can avoid a winter shut down so our members can continue accessing Scouting activities.

Other sources of funding secured or being explored (with amounts where known):

None

Is this an “exceptional” request (see notes)? If so, please explain why the Council should treat it as an exception:

This is an exceptional request as it falls outside the usual scope for grant approval timescales. As this is time sensitive with winter just around the corner, we respectfully ask that the Council considers this application at the earliest opportunity.

Grants awarded by the Council in the last two years, and the uses made of the funding:

£495 to cover accommodation rental for Christmas Camp held at Kibblestone Scout Camp in December 2019.

Statement of support from Council appointed representative (if applicable):

[Click or tap here to enter text.](#)

## ACCOUNTS

### 1st Stone Scouts P&L 2018-19

Income	2018-2019	Prv Year	Notes
Subscriptions	6297.00	4850.00	
Gift Aid	1127.62	888.89	
Fund Raising	100.00	0.00	
Income for Events	0.00	285.00	Note 1
Hire of HQ	1325.00	1350.00	Note 2
Grants & Donations	1223.88	708.00	
Transfer from Roof Repair Reserve	0.00	21427.46	
Miscellaneous Income	0.00	0.00	
	<b>10,073.50</b>	<b>29,509.35</b>	
<b>Expenditure</b>			
Programme Activities	614.06	473.31	
Badges & Uniform	291.22	307.96	
Capitation	1955.70	1902.70	
Event Costs	0.00	286.00	
HQ Costs	1971.64	983.96	Note 3
Equipment Purchase & Maintenance	4.99	0.00	
Management & Administration	179.61	117.45	
Roof Repairs	0.00	30874.50	
Miscellaneous Costs	109.35	0.00	
	<b>5,126.57</b>	<b>34,945.88</b>	
<b>Surplus/(Deficit)</b>			
	<u><b>4,946.93</b></u>	<u><b>-5,436.53</b></u>	
<b>Notes</b>			
<b>1</b> HQ Income: Town Band £300, Scout Band £400, District £300, Bonfire etc £325			
<b>2</b> Grants from Staffs CC, Copper Jar, Bonfire & £400 from Stone Rotary for Water Heaters			
HQ Expenses: Gas £740, Electric £300, Repairs etc £930			
<b>1st Stone Scouts Balance Sheet 2018-19</b>			
	<b>2018-2019</b>	<b>Prv Year</b>	
<b>Assets</b>			
Cash in Bank	5185.13	6760.54	
Floats & Cash/Chqs in Hand	2390.92	707.99	
Gas Oil Stock			
700.00 Other Assets		700.00	
0.00		0.00	
Debtors	1547.42	888.25	Gift Aid & Rotary Donation
	<b>9823.47</b>	<b>9056.78</b>	
<b>Liabilities</b>			
Creditors	953.48	5083.72	Owed for Water Heaters & Gas Delivery
	<b>953.48</b>	<b>5083.72</b>	
<b>Total Assets less Liabilities</b>	<u><b>8869.99</b></u>	<u><b>3973.06</b></u>	
<b>Capital &amp; Reserves</b>			
Roof Repair Reserve	0.00	0.00	
Other Reserved Capital	170.63	220.63	Cubs Nights away & OSM donation
Unreserved Capital	3752.43	9188.96	
P&L Account	4946.93	-5436.53	
	<u><b>8869.99</b></u>	<u><b>3973.06</b></u>	
<b>Notes:</b>			

**2018-19 Section Breakdown**

	<b>Costs</b>	<b>Receipts</b>
SUBSCRIPTIONS		
Subscriptions - Beavers		2,105.00
Subscriptions - Cubs		2,370.00
Subscriptions - Scouts		1,822.00
GIFT AID		
Gift Aid - Beavers		356.25
Gift Aid - Cubs		532.12
Gift Aid - Scouts		239.25
Fund Raising		100.00
EVENTS (CAMPS ETC)		
Event Income - Beavers		
Event Income - Cubs		
Event Income - Scouts		
Hire of HQ		1,325.00
Grants & Donations		1,223.88
Credit Charges (Late Payments)		
Miscellaneous Income		
PROGRAMME ACTIVITIES		
Programme Activities - Beavers	307.39	
Programme Activities - Cubs	301.62	
Programme Activities - Scouts	5.05	
BADGES & UNIFORM		
Badges & Uniform - Beavers	119.55	
Badges & Uniform - Cubs	131.55	
Badges & Uniform - Scouts	40.12	
CAPITATION		
Capitation - Beavers	590.40	
Capitation - Cubs	664.20	
Capitation - Scouts	701.10	
EVENTS (CAMPS ETC)		
Event Expenses - Beavers		
Event Expenses - Cubs		
Event Expenses - Scouts		
HQ COSTS		
Gas Oil Used	744.03	
Electricity	294.00	
Water		
Repairs, Renewals & Maintenance	933.61	
Building Repairs (Major)		
Equipment Purchase & Maintenance (Owned)	4.99	
Management & Administration	179.61	
Miscellaneous Costs	109.35	

# Application for Grant Aid



Name of organisation:

Douglas Macmillan Hospice

Purpose of organisation:

Imagine that moment when a family hears the devastating news that their loved one's illness is no longer curable. Imagine being told that your child has a serious medical condition that means they are unlikely to reach adulthood; that you will almost certainly outlive your child. Douglas Macmillan Hospice (Dougie Mac) provides heartbroken families with the care and support that helps them face the unimaginable. We enable children, young adults, adults and their families make the most of the time that they have left together. We help them to manage physical symptoms, give vital emotional and psychological support, we help them navigate the practicalities of changes in life and financial situations and, when the time comes, we're there to ensure dignity, comfort and peace at the end of their life.

Until March 2021, children's palliative care in Staffordshire was provided by The Donna Louise Children's Hospice. It has now been integrated into the existing infrastructure of Dougie Mac in order to protect the services we offer to local families. The integration of The Donna Louise into the Dougie Mac means that local families, who face an uncertain future, can do so safe in the knowledge that the support they have always relied on will continue to be there.

This application is for a grant to support the children's service.

Amount of grant requested:

£200

Total cost of project (if appropriate):

The total budgeted cost of children's nursing care in 2021/22 is £1,818,790

Reason for grant request:

This grant would be used to provide specialised palliative nursing care in our children's hospice. Being, or caring for, a child with a life-limiting condition is a scary and often lonely journey. The support we offer helps families to cope with the unimaginable, it gives them a break from caring for a very sick child 24/7 and it allows them time to just enjoy being a family together.

*"...to live everyday with the unthinkable is a huge strain... there are moments when I am overwhelmed with heartbreak, yet of course still have to deal with numerous and often complex practical issues around my child's health needs. To know I can pick up the phone and always have someone to advise, support or provide practical help is a life-line." (A parent at Dougie Mac)*

Our highly skilled team of nurses look after children facing the most challenging illnesses and are dedicated to helping relieve pain, providing emotional and psychological support with the aim of making the most of every day. Support is for the whole family and includes planned and emergency respite as well as end-of-life nursing care. All services are provided free of charge and in the most appropriate setting, which may be at the hospice or at home.

#### Benefits to Stone residents:

We are currently caring for 6 children and their families in the Stone postcode area.

When a family is told that their child is likely to die before adulthood, life as they know it is gone forever. Their family changes instantly and everybody is affected. The Dougie Mac children's service is the only hospice for children and young people in our area. When a family comes to us, it may be that their child has very recently been diagnosed with a life-limiting condition, and they are reeling from the shock and grief. It may be that they received the diagnosis some time ago and are exhausted from caring for their sick child round the clock 24 hours a day, 7 days a week. One thing is sure, each and every family desperately needs support. Disabled and very sick children face a multitude of barriers to accessing opportunities, and a quality of life, equal to those enjoyed by non-disabled children. Research has shown that the complexity of service provision can leave families lost and unclear on what help they are entitled to, and how to access it. This, coupled with the demands of caring for a very sick child, places unimaginable strain on families. We aim to take away that strain and help them live the life they want in the time they have left together.

*"When Tommy became ill we began to grieve. We grieved for the baby we felt we had lost. We had to accept that we'd gone from having a healthy baby to a baby with very complex needs. The hospice pulled us back together again. We don't know how we'd have coped without their support."* (A mum at Dougie Mac)

Most importantly we help children, young people and families to live, at a time when they are surrounded by thoughts of death. With the support of Dougie Mac we enable families to find a sense of "normality" when life is far from normal. And we help them to make every moment. However long or short a child's life may be, we are there to support every member of the family, every step of the way.

Other sources of funding secured or being explored (with amounts where known):

On average each year we approach 160 Trusts and Foundations to secure grants for core costs and various projects, for the children’s hospice. Last year we submitted 176 applications with a combined value of £594,724. So far this year (since 1<sup>st</sup> April 2021) we have applied for 92 grants with a combined value of £148,358. Obviously, not all of these applications will be successful. On average each year we raise about £150,000 for the children’s hospice from grant-making organisations and last year grants ranged from £100 to £30,000.

Is this an “exceptional” request (see notes)? If so, please explain why the Council should treat it as an exception:

N/A

Grants awarded by the Council in the last two years, and the uses made of the funding:

N/A

Statement of support from Council appointed representative (if applicable):

N/A

Charity Registration No. 1071613

Company Registration No. 03615904 (England & Wales)



**DOUGLAS MACMILLAN HOSPICE**

**TRUSTEES' REPORT  
& FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 MARCH 2020**





# DougieMac Vision, Mission & Values

Our Vision is... To be admired as a centre of excellence for palliative and end of life care.

Our Mission is... To respond to the increasing needs of our patients in our heartland by growing as a sustainable organisation, delivering outstanding value for money for all our funding sources and always remaining true to our core values.



**C**ompassion

Working together by considering the views of others, understanding the challenges they face and providing support.

**A**ccountability

Taking personal responsibility for our actions, owning our decisions and behaviours.

**R**espect

Always trusting, listening and challenging each other. Understanding that we are at our best as individuals whilst working as a team.

**E**xcellence

Embracing excellence by empowering and motivating each other to be the best that we can be.

**DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

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## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **REFERENCE AND ADMINISTRATIVE INFORMATION**

***FOR THE YEAR ENDED 31 MARCH 2020***

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Douglas Macmillan Hospice is a company limited by guarantee and a registered charity governed by its Memorandum and Articles of Association.

#### **Officers**

The current Trustees (Directors) and those who held office during the financial year to 31<sup>st</sup> March 2020 are listed below:

Mr K Brown	Mr D Platt (Chair)
Mrs J Neyt	Dr J Sissons
Mrs S Evans (Vice Chair)	Dr E Slade
Mrs M Rathbone	Mr D Harvey (Resigned 24.6.19)
Mrs J Miller	Mr T Stanway
Ms L Rowley	Mrs K McKenzie (Appointed 2.12.19)
Company Secretary	Mr D Webster
Chief Executive Officer	Mr D Webster
Director of Care	Mrs J McCartney
Director of HR & Support Services	Mrs C Hammond
Director of Income Generation	Mrs K McKenzie
Director of Finance	Mrs V Dean

#### **Legal and Administrative Information**

Company Number	3615904
Charity Number	1071613
Registered Office	Barlaston Road Stoke-on-Trent ST3 3NZ
Auditors	Geens Limited Chartered Accountants 68 Liverpool Road Stoke-on-Trent ST4 1BG
Principal Bankers	Lloyds Banking Group 46 High Street Newcastle-under-Lyme ST5 1QY
Solicitors	Tinsdills Limited Hays House, 25 Albion Street Hanley Stoke-on-Trent ST1 1QF

## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

#### **FOR THE YEAR ENDED 31 MARCH 2020**

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As Trustees of Douglas Macmillan Hospice, and Directors of the charity for the purposes of the Companies Act 2006, it is our privilege to present the Annual Report and Audited Financial Statements for the year ended 31<sup>st</sup> March 2020.

#### **THE DIFFERENCE WE MAKE**

For the past 47 years since our inception in 1973 Douglas Macmillan Hospice, or Dougie Mac as we are colloquially known has gained a reputation for providing excellent palliative and end of life care to local people in our heartland who have a progressive, life limiting illness. In the health and social care environment in which we operate, where resources are invariably stretched, Dougie Mac has consistently relied upon the generosity and kindness of local supporters to sustain the range of services we provide. This year is no different. Of the £12.96 million costs of running our hospice, 77% of our income is from donations, legacies, fundraising, individual giving, sales of items in our shops and other ways in which local people and firms have shown their commitment to Dougie Mac. We are extremely grateful for such phenomenal support.

This year our total income dropped by £1.1million compared to the previous year but this was almost entirely due to a very substantial donation made in 2019 to completely refurbish our Inpatient Unit, work which is now fully completed. Also, Dougie Mac is a financially robust hospice with sufficient reserves to contend with the cost impact of disproportionately damaging devaluations in our investment portfolio, such as happened at the end of March 2020, following the national lockdown as a consequence of Covid19.

However, neither a drop in donated funding nor a notional reduction in our investment assets prevented Dougie Mac from making a customarily impressive impact on our local health economy. This year our community based specialist palliative care nurses made 15,873 visits to patients at their home (or in a nursing home) and our Hospice at home team enabled over 400 patients to die at home as they had expressly wished to do so. Of course many patients continue to seek the companionship and specialist on-site care in our Inpatient Unit and this year we admitted 256 patients to our ward at the hospice. Additionally our 24/7 Advice Line received 6291 calls in 2019/20 (a rise of 28% on the previous year), demonstrating Dougie Mac's ongoing affirmation to be responsive and accessible to patients, their carers and also to local health professionals seeking specialist advice.

The myth that hospices are solely focused on patients with a cancer diagnosis is a difficult one to erase, but the truth is that a modern hospice such as Dougie Mac is committed to meeting requirements of all patients with a palliative need, irrespective of diagnosis. Consequently in the decade since 2010 the proportion of non-cancer patients at Dougie Mac has risen from 9% to 35% in 2020. The most prevalent non-cancer referrals are for patients with dementia, chronic respiratory disease and heart failure and the current mix of patient diagnosis is one of the many dimensions of hospice care featured in our recently published Quality Account 2019/20 which reinforces our strategic aim *"to be admired as a centre of excellence for palliative and end of life care"*

#### **FINANCIAL REVIEW**

The financial statements for the year have been prepared in accordance with the Statement of Recommended Practice Accounting and Reporting by Charities (SORP 2019) and comply with all statutory requirements and the hospice's governing document. The financial statements consolidate the results of Douglas Macmillan Hospice and its trading subsidiaries.

The Trustees report a net decrease to overall funds for the year of £1.05 million (2018/19: £1.52 million increase) and an overall funds balance of £12.2 million at 31 March 2020 (£13.2 million at 31 March 2019). The financial position of the group is set out in the balance sheet on page 12. The Reserves Policy relating to the funds held by the hospice is described in the Reserves Policy on page 7.

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

### TRUSTEES' REPORT

FOR THE YEAR ENDED 31 MARCH 2020

#### INCOME AND EXPENDITURE

The Statement of Financial Activities is set out on page 11 of these financial statements. From an operating perspective, 2019/20 showed a deficit before investment losses and pension liability movements of £0.34 million (2018/19: surplus £1.32 million); the two main reasons for this are outlined below.

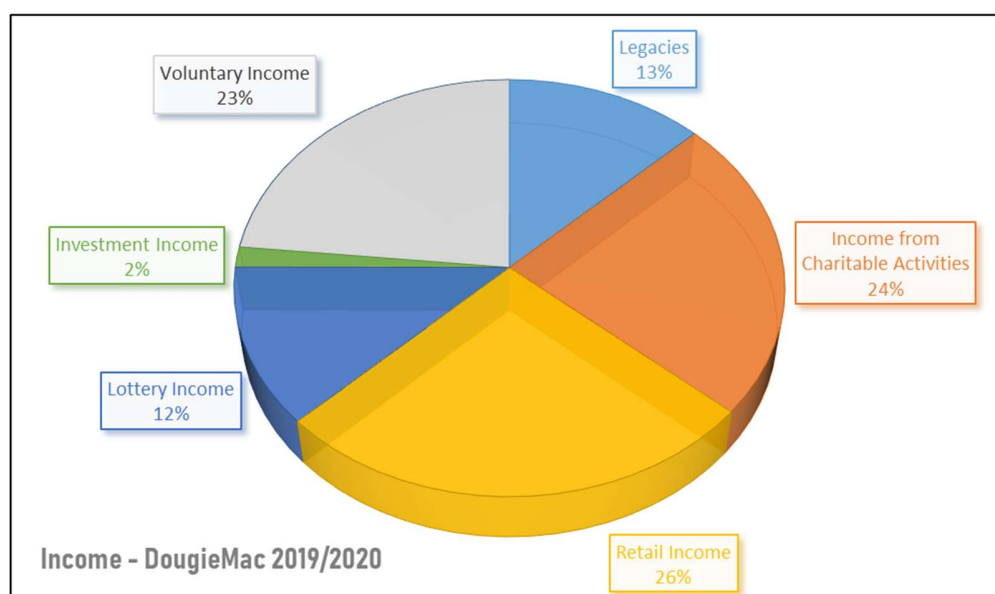
Total consolidated income for the year was £12.6 million, a decrease of £1.1 million on the previous year; 2018/19 was a particularly strong year for donations and legacies, with a one-off restricted donation of £950,100 boosting donated income to record levels. Total consolidated expenditure increased by £0.52 million from 2018/19 to £12.96 million, of which £0.44 million related to the modernisation of the inpatient unit which commenced at the end of 2018. Notwithstanding these exceptional items, and without such a dramatic fall in value of fixed asset investments, the Hospice would have made an operating surplus.

Unrestricted donations from individuals, communities and corporates grew by 6% whilst income from fundraising events increased by an impressive 13%. Following an outstanding year for legacies in 2018/19, income for 2019/20 dropped by 26% to a respectable £1.6 million, a level more typical of legacy income in recent years.

Income from NHS Clinical Commissioning Groups (CCGs) remained virtually unchanged from 2018/19 at £2.4 million. Funding pressures continue to exist in the NHS with inflationary cost increases not being matched by increases in charitable activity funding.

Despite challenging market conditions on the high street, this year has shown improved sales figures for our Charity Shops, with an increase on the previous year of 4%. The growth in sales within the Dougie Mac retail network was aided by a consolidation in re-cycling, online and furniture sales and a rise in donated goods sales. Retail income accounted for over a quarter of the Hospice's income.

The Dougie Mac Lottery continues to be a dependable and steady income source ending the financial year with nearly 25,000 active players. During the year membership grew yielding an additional £40,000 in income. The seasonal Christmas and spring raffles remain popular, raising an outstanding £120,000 for the Hospice.

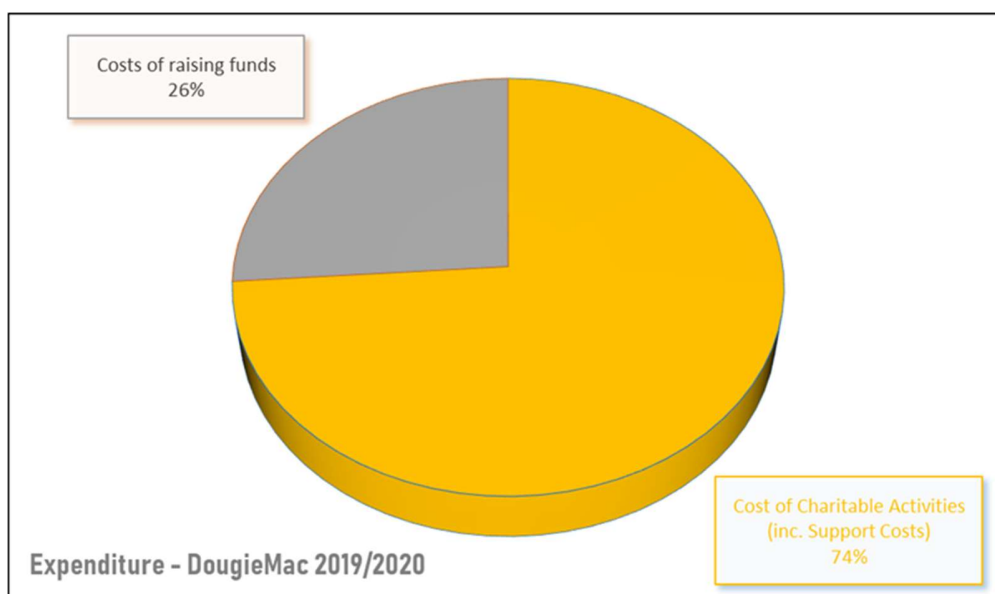


## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

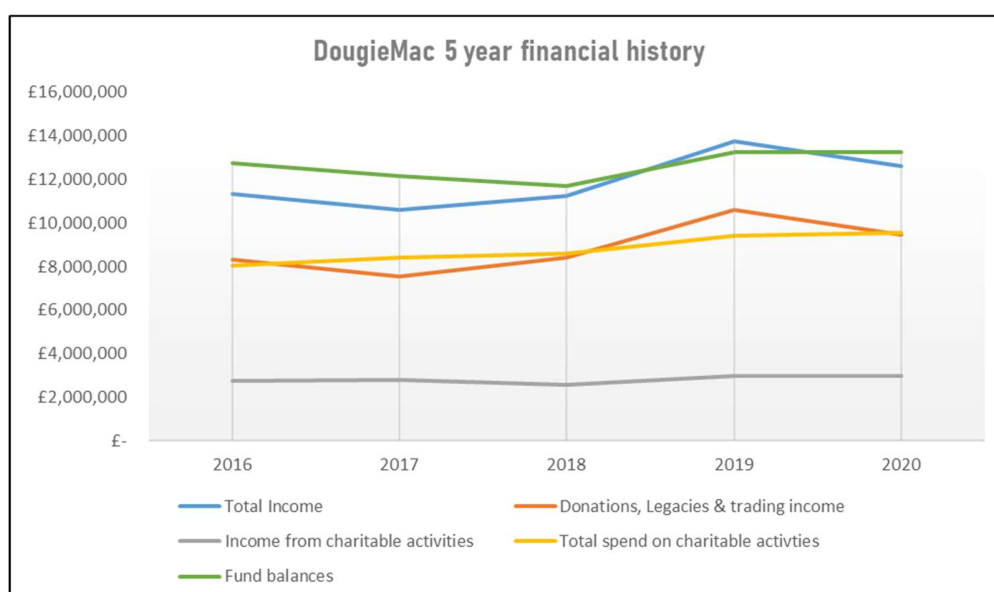
### TRUSTEES' REPORT

FOR THE YEAR ENDED 31 MARCH 2020

The cost of Charitable Activities increased by £0.14 million from £9.43 million to £9.57 million, the cost of raising funds increased by £0.38 million; this supported a long term investment in our Retail and Lottery operations which in time will result in an uplift in net surplus. We continue to review our cost base to ensure that we are providing our services as efficiently as possible and are proud to report that, for every £1 donated to the hospice, 74 pence is spent on providing specialist care to our patients, their families and carers.



The actuarial loss in the pension fund is £0.127 million and is shown in the Statement of Financial Activities. The pension liability in the balance sheet has increased by £35,000 since last year which generates a liability of £2.24 million. The pension liability and its impact on the hospice's financial position is monitored closely by the Hospice Trustees and also by the Trustees of the Federated Pension Scheme for the Douglas Macmillan Hospice.



## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

**FOR THE YEAR ENDED 31 MARCH 2020**

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#### **INVESTMENTS**

We hold an investment portfolio that, at the beginning of 2020, was valued at £6.7m; in late March, as a consequence of Covid-19, its paper value dropped to £5.7m. Although this drop in value was significant, it's pleasing to realize some recovery over the last few months. Since the start of the year the portfolio has only seen a small devaluation of 3.0%; certainly a muted reaction considering the Covid-19 disruption we have witnessed across our entire society. This is against a 3.5% fall in the associated benchmark.

A move to a total return strategy, with both capital and income driving the portfolio return, has benefitted the investments hugely. Since the start of 2019 the portfolio has returned 14.3% and pleasingly is 2.1% ahead of the associated benchmark at 12.2%.

While the near future will undoubtedly be choppy, we do see the investments continuing to progress on a 12-18 month view as the recovery continues. The 'quick bounce' is firmly behind us, and there are signs of resuming economic activity that will lift markets gently higher. Of course it is important to emphasize that these investments are regarded as long term, insulating the hospice and our capacity to deliver, even with turbulence such as Covid-19.

#### **OUR STRATEGIC VISION**

The strategic priorities for Dougie Mac are cemented into our DMH@50 Strategic Plan which visualises the intended progress of the hospice as we look towards our 50<sup>th</sup> anniversary in 2023. These are:

- To maintain and enhance the quality of holistic personalised care for all our patients
- To strengthen the long term financial sustainability of the hospice
- To extend our impact on the local health economy by collaborating with other providers
- To improve access to hospice care for extended groups by greater integration in our local community
- To continue to develop our compassionate, committed, professional workforce
- To mould our response to the intensifying need for support and palliative care for people living with dementia

These strategic goals remain intact. However, whilst the full impact of the global pandemic (Covid19) has had a limited bearing on this Annual Report & Accounts (as the period covered is up to 31<sup>st</sup> March 2020) it is inevitable that our strategic progress will be influenced by the devastating effects of this pandemic on our economy and on the health of our communities across the country. When the history of 2020 is written it will be dominated by the effects of the Coronavirus, but at present it is hard to quantify the full impact on Dougie Mac and so a strategic review in 2021 will be essential and timely, in the knowledge that Dougie Mac is a well-resourced and financially strong hospice with substantial reserves and a clear vision of the future.

## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

**FOR THE YEAR ENDED 31 MARCH 2020**

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## **STRUCTURE AND GOVERNANCE**

### **Board of Trustees**

The Board of Trustees is the governing body that administers the charity, sets the strategy, formulates policy and assesses procedures and risk management. The Board meets regularly and the trustees are directors of the company but none of the trustees has a beneficial interest in the company and all are unpaid volunteers.

### **Trustee Recruitment, Appointment and Induction**

The existing trustees of Douglas Macmillan Hospice are empowered under the Articles of Association to elect new trustees at our Annual General Meeting and to make co-options at any other time. Succession planning for trustees is an important dimension of governance as is a blend of skills in the Board of Trustees, so new trustees are recruited in a variety of ways including external advertising and previous interest in and involvement with the Hospice. Additionally potential new trustees are invited to attend Board meetings as an observer to assist them on deciding whether to agree to a nomination as a trustee. New trustees receive a full induction programme over an extended period, including briefings with senior executives and visits to the various parts of the organisation to gain an appreciation of the mosaic of aspects which contribute to the success of Douglas Macmillan Hospice.

### **Subcommittees of the Board of Trustees**

To assist in the smooth running of the charity the Board is supported by six subcommittees each of which meets at appropriately regular intervals and are chaired by a member of the Board. These subcommittees are:

- Investments, Finance & Internal Audit (IFIA)
- People & Values (P&V)
- Clinical Governance & Professional Standards (CGPS)
- Corporate Governance (CG)
- DMH Staffordshire Enterprises Ltd Board (DMHSEL)
- DMH Staffordshire Lotteries Ltd Board (DMHSL)

The trustees on each subcommittee have relevant interests and skills to ensure that they enhance the work of that committee. A scheme of delegation is in place so that day to day responsibility for the affairs of the charity, including all operational matters, rests with the Chief Executive Officer and the Executive team, which currently comprises:

- Chief Executive – David Webster
- Director of Care – Jeanette McCartney
- Director of Income Generation – Karen McKenzie
- Director of HR & Support Services – Cris Hammond
- Director of Finance – Vicki Dean

Both DMHSEL and DMHSL develop commercial activities to support the charity and each covenants its surplus to the charity, and results are included within the Consolidated Financial Statements.

### **Risk Management**

Governance of Douglas Macmillan Hospice is underpinned by a transparent culture of risk evaluation and risk management, enabling the Board of Trustees to consider all risks, both stated and emerging, and fulfill their responsibility for risks faced by the charity. A risk register identifies the potential and actual risks, their nature, likelihood and impact and then outlines the measures taken to mitigate those risks. Trustees review the risk register formally at Board meetings as well as assessing and updating it at appropriate subcommittees.



## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

**FOR THE YEAR ENDED 31 MARCH 2020**

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The main risks that the charity faces are:

a) **Financial Sustainability**

This is mitigated by our robust fundraising strategy; built over many years of successful expansions of donated income, and by cultivating excellent relationships with statutory funding partners in the local health economy.

b) **Reputation**

The Hospice is held in high regard by local people and stakeholder partners and has been so for 45 years but protecting and polishing our reputation requires mitigating actions, notably in ensuring that all our systems, processes and support lead to the successful recruitment retention and development of outstanding people.

c) **Internal Infrastructure**

In a rapidly changing environment our mitigations involves continually assessing and modifying our infrastructure (including I.T.) to contend with contemporary and future needs. Cost containment and investment in new assets are kept in balance by constant monitoring.

### **Reserves Policy**

Reserves are held to ensure that the charity has the ability to withstand any unforeseen drops in income, and to provide capital for future strategic growth, recognising that access to external capital is very limited. The Board of Trustees is satisfied that the current level of reserves provides an adequate buffer against risks that cannot be negated by other means, whilst underpinning the strategic plan for the future of the hospice.

### **Remuneration Policy**

The People & Values subcommittee, which reports to the Board of Trustees, oversees all matters relating to executive remunerations and staff pay and benefits. External benchmarks and local market rates of pay are used as comparatives so that the Hospice can attract and retain high quality staff in both clinical and non-clinical roles. An annual appraisal process is in place to evaluate job performance at an individual level across the organisation.

### **Trustees Responsibilities in Relation to Financial Statements**

The charity's trustees, who are also the directors of Douglas Macmillan Hospice for the purposes of company law, are responsible for preparing a trustees annual report and financial statements in accordance with applicable law and United Kingdom Accounting Standards (UK generally accepted accounting practice).

Company law requires our trustees to prepare financial statements for each year which give a true and fair view of the state of affairs of the charitable company and the group, and of the incoming resources and applications of resources, including the income and expenditure of the charitable group for that period.

In preparing these financial statements, the trustees are required to:

- Select suitable accounting policies and then apply them consistently
- Observe the methods and principles in the Charities Statement of Recommended Practice (SORP)
- Make judgements and accounting estimates that are reasonable and prudent
- State whether applicable UK accounting standards and statements of recommended practice have been followed, subject to any material expenditures disclosed and explained in the financial statements
- Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue to operate

## **DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

### **TRUSTEES' REPORT**

***FOR THE YEAR ENDED 31 MARCH 2020***

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The trustees are responsible for keeping adequate accounting records that disclose with reasonable accuracy at any time, the financial position of the charity and to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charity and the group, and hence take reasonable steps for the prevention and detection of fraud and other irregularities. The trustees are responsible for the maintenance and integrity of the corporate and financial information included in the charity's website. Legislation in the UK governing the preparation and dissemination of financial statements may differ from that in other jurisdictions.

In so far as the trustees are aware at the time of approving our trustees' report there is no relevant audit information of which our auditor is unaware, and trustees have taken all steps that they ought to have taken to make them aware of any relevant audit information. It is customary to place a resolution at our AGM proposing the appointment of Geens Ltd as our auditors and trustees will do so in the knowledge stated above.

Approved by the trustees on 7<sup>th</sup> December 2020 and signed on their behalf by:

A handwritten signature in black ink, appearing to read 'D Platt', is written over a light blue rectangular background.

David Platt  
Chairman of Board of Trustees

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

### INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF DOUGLAS MACMILLAN HOSPICE

FOR THE YEAR ENDED 31 MARCH 2020

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#### Opinion

We have audited the financial statements of Douglas Macmillan Hospice and its subsidiaries (the 'group') for the year ended 31 March 2020 which comprise the consolidated statement of financial activities, the consolidated balance sheet, the consolidated cash flow statement and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and United Kingdom Accounting Standards, including Financial Reporting Standard 102 *The Financial Reporting Standard applicable in the UK and Republic of Ireland* (United Kingdom Generally Accepted Accounting Practice).

In our opinion the financial statements:

- give a true and fair view of the state of the group's and parent charitable company's affairs as at 31 March 2020, and of the group's incoming resources and application of resources, including its income and expenditure, for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

#### Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the group and parent charitable company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Conclusions relating to going concern

We have nothing to report in respect of the following matters in relation to which the ISAs (UK) require us to report to you where:

- the trustees' use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or
- the trustees have not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the group's or parent charitable company's ability to continue to adopt the going concern basis of accounting for a period of at least twelve months from the date when the financial statements are authorised for issue.

#### Other information

The trustees are responsible for the other information. The other information comprises the information included in the trustees' annual report, other than the financial statements and our auditor's report thereon. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact.

We have nothing to report in this regard.

#### Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the trustees' report incorporating the directors' report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the directors' report has been prepared in accordance with applicable legal requirements.

**DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)**

**INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF DOUGLAS MACMILLAN HOSPICE**

**FOR THE YEAR ENDED 31 MARCH 2020**

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**Matters on which we are required to report by exception**

In the light of our knowledge and understanding of the group and parent charitable company and its environment obtained in the course of the audit, we have not identified material misstatements in the directors' report.

We have nothing to report in respect of the following matters in relation to which the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept by the parent charitable company, or returns adequate for our audit have not been received from branches not visited by us; or
- the parent charitable company's financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit.

**Responsibilities of trustees**

As explained more fully in the trustees' responsibilities statement set out on pages 7 to 8, the trustees (who are also the directors of the charitable company for the purposes of company law) are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the trustees determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the trustees are responsible for assessing the group's and parent charitable company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the trustees either intend to liquidate the group or the parent charitable company or to cease operations, or have no realistic alternative but to do so.

**Auditor's responsibilities for the audit of the financial statements**

We have been appointed auditor under the Companies Act 2006 and report in accordance with this Act.

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at: [www.frc.org.uk/auditorsresponsibilities](http://www.frc.org.uk/auditorsresponsibilities). This description forms part of our auditor's report.

**Use of our report**

This report is made solely to the charitable company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the charitable member's trustees those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the charitable company and the charitable company's members as a body, for our audit work, for this report, or for the opinions we have formed.



**Mr Steven Archer FCA (Senior Statutory Auditor)**  
**for and on behalf of Geens Limited**

**Chartered Accountants**  
**Statutory Auditor**

7<sup>th</sup> December 2020

68 Liverpool Road  
Stoke on Trent  
Staffordshire  
ST4 1BG

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

**CONSOLIDATED STATEMENT OF FINANCIAL ACTIVITIES**  
(Including consolidated income and expenditure account)  
**FOR THE YEAR ENDED 31 MARCH 2020**

	Notes	Unrestricted funds £	Designated funds £	Restricted funds £	Total funds £ 2020	Total funds £ 2019
<b><u>Income:</u></b>						
Donations and legacies	2	1,645,377	1,616,171	1,613	3,263,161	4,680,922
Charitable activities	3	2,915,501	-	-	2,915,501	2,960,592
Other trading activities	4	6,239,270	-	-	6,239,270	5,907,688
Investment income	5	198,467	-	-	198,467	207,768
<b>Total income</b>		<b>10,998,615</b>	<b>1,616,171</b>	<b>1,613</b>	<b>12,616,399</b>	<b>13,756,970</b>
<b><u>Expenditure</u></b>						
Costs of raising funds	6	3,386,373	-	-	3,386,373	3,010,187
Charitable activities	7	8,720,001	414,508	440,125	9,574,634	9,428,758
<b>Total expenditure</b>		<b>12,106,374</b>	<b>414,508</b>	<b>440,125</b>	<b>12,961,007</b>	<b>12,438,945</b>
Net gains/ (loss) on investments	16	(577,193)	-	-	(577,193)	230,459
<b>Net income / (expenditure)</b>		<b>(1,684,952)</b>	<b>1,201,663</b>	<b>(438,512)</b>	<b>(921,801)</b>	<b>1,548,484</b>
<b>Transfers between funds</b>	24/25	1,731,282	(1,506,282)	(225,000)	-	-
<b>Other recognised gains and (losses)</b>						
Actuarial gain / (loss) on defined benefit pension schemes	20	(127,000)	-	-	(127,000)	(20,000)
<b>Net movement in funds</b>		<b>(80,670)</b>	<b>(304,619)</b>	<b>(663,512)</b>	<b>(1,048,801)</b>	<b>1,528,484</b>
<b>Reconciliation of funds:</b>						
Fund balances brought forward		1,976,095	10,365,485	890,820	13,232,400	11,703,916
<b>Fund balances carried forward</b>		<b>1,895,425</b>	<b>10,060,866</b>	<b>227,308</b>	<b>12,183,599</b>	<b>13,232,400</b>

All of the above results were derived from continuing operations. All gains and losses recognised in the year are included above.

The notes on pages 14 to 30 form an integral part of these financial statements.

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

## CONSOLIDATED BALANCE SHEET

AS AT 31 MARCH 2020

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
<b>Fixed assets</b>					
Tangible assets	15	5,483,227	5,758,785	5,483,227	5,758,785
Investments	16	5,689,104	6,303,221	5,689,108	6,303,225
		<u>11,172,331</u>	<u>12,062,006</u>	<u>11,172,335</u>	<u>12,062,010</u>
<b>Current assets</b>					
Stocks	17	5,221	13,021	-	-
Debtors	18	1,123,783	1,189,825	1,123,783	1,189,099
Cash at bank and in hand		<u>3,322,779</u>	<u>3,193,225</u>	<u>3,325,841</u>	<u>3,135,711</u>
		<u>4,451,783</u>	<u>4,396,071</u>	<u>4,449,624</u>	<u>4,324,810</u>
<b>Creditors: amounts falling due within one year</b>	19	<u>(1,196,515)</u>	<u>(1,016,677)</u>	<u>(1,220,254)</u>	<u>(971,464)</u>
<b>Net current assets</b>		<u>3,255,268</u>	<u>3,379,394</u>	<u>3,229,370</u>	<u>3,353,346</u>
<b>Total assets less current liabilities being net assets excluding pension liability</b>		<u>14,427,599</u>	<u>15,441,400</u>	<u>14,401,705</u>	<u>15,415,356</u>
<b>Defined benefit pension scheme liability</b>	20	<u>(2,244,000)</u>	<u>(2,209,000)</u>	<u>(2,244,000)</u>	<u>(2,209,000)</u>
<b>Net assets including pension liability</b>		<u><u>12,183,599</u></u>	<u><u>13,232,400</u></u>	<u><u>12,157,705</u></u>	<u><u>13,206,356</u></u>
<b>Funds</b>					
<b>Income funds</b>					
Restricted funds	24	227,308	890,820	227,308	890,820
Unrestricted funds: Designated funds	25	10,060,866	10,365,485	10,060,866	10,365,485
Other charitable funds		<u>4,139,425</u>	<u>4,185,095</u>	<u>4,113,531</u>	<u>4,159,051</u>
<b>Total funds excluding pension reserve</b>		<u>14,427,599</u>	<u>15,441,400</u>	<u>14,401,705</u>	<u>15,415,356</u>
Pension reserve	20	<u>(2,244,000)</u>	<u>(2,209,000)</u>	<u>(2,244,000)</u>	<u>(2,209,000)</u>
<b>Total funds</b>		<u><u>12,183,599</u></u>	<u><u>13,232,400</u></u>	<u><u>12,157,705</u></u>	<u><u>13,206,356</u></u>

The financial statements were approved by the Board on 7th December 2020 and agreed on their behalf by:



Mr D Platt - Chairman

Company Registration No. 03615904 (England & Wales)

The notes on pages 14 to 30 form an integral part of these financial statements.

## DOUGLAS MACMILLAN HOSPICE (A COMPANY LIMITED BY GUARANTEE)

## CONSOLIDATED CASH FLOW STATEMENT

FOR THE YEAR ENDED 31 MARCH 2020

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
<b>Net cash provided by operating activities</b>	27	9,361	2,300,174	69,937	2,380,311
<b>Cash flows from investing activities:</b>					
Dividends, interest and rents from investments		198,467	207,768	198,467	207,768
Purchase of property, plant and equipment		(147,639)	(327,693)	(147,639)	(327,693)
Proceeds from sale of property, plant and equipment		-	-	-	-
Proceeds on sale of investments		2,788,113	1,248,972	2,788,113	1,248,972
Purchase of investments		(2,718,748)	(1,208,300)	(2,718,748)	(1,208,300)
Net cash used in investing activities		120,193	(79,253)	120,193	(79,253)
<b>Change in cash and cash equivalents in the reporting period</b>		129,554	2,220,921	190,130	2,301,058
<b>Cash and cash equivalents at the beginning of the reporting period</b>		3,193,225	972,304	3,135,711	834,653
<b>Cash and cash equivalents at the end of the reporting period</b>		3,322,779	3,193,225	3,325,841	3,135,711

The notes on pages 14 to 30 form an integral part of these financial statements.

**1 Accounting policies**

The principal accounting policies adopted, judgements and key sources of estimation uncertainty in the preparation of the financial statements are as follows:

**1a) Basis of preparation**

The financial statements have been prepared in accordance with the Charity's memorandum and articles of association, the Charities Act 2011 and the Companies Act 2006 and "Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2019)". The Charity is a Public Benefit Entity as defined by FRS 102.

The financial statements are prepared on a going concern basis under the historical cost convention, modified to include certain items at fair value. The financial statements are prepared in sterling which is the functional currency of the charity and rounded to the nearest £1.

These group financial statements consolidate the results of the charity and its wholly owned subsidiary undertakings for the year ended 31 March 2020 on a line by line basis. The trading results of the subsidiary undertakings are shown in note 12.

A separate Statement of Financial Activities and Income and Expenditure Account for the charity has not been presented because the Charity has taken advantage of the exemption afforded by section 408 of the Companies Act 2006.

**1b) Fund accounting**

Unrestricted funds are available for use, at the discretion of the trustees, in furtherance of the general objectives of the charity and which have been designated for other purposes:

Restricted funds are funds which are to be used in accordance with specific restrictions imposed by donors, or which have been raised by the charity for particular purposes.

**1c) Income recognition**

All income is included in the Statement of Financial Activities (SOFA) when the charity is legally entitled to the income after any performance conditions have been met, the amount can be measured reliably and it is probable that the income will be received.

For donations to be recognised the charity will have been notified of the amounts and the settlement date in writing. If there are conditions attached to the donation and this requires a level of performance before entitlement can be obtained then income is deferred until those conditions are fully met or the fulfilment of those conditions is within the control of the charity and it is probable that they will be fulfilled.

Donated facilities and donated professional services are recognised in income at their fair value when their economic benefit is probable, it can be measured reliably and the charity has control over the item. Fair value is determined on the basis of the value of the gift to the charity. For example the amount the charity would be willing to pay in the open market for such facilities and services. A corresponding amount is recognised in expenditure.

No amount is included in the financial statements for volunteer time in line with the SORP (FRS 102). Further detail is given in the Trustees' Annual Report.

Gifts in kind donated for resale are included at fair value, being the expected proceeds from sale less the expected costs of sale. Where estimating the fair value is practicable upon receipt it is recognised in stock and 'Income from other trading activities'. Upon sale, the value of the stock is charged against 'Income from other trading activities' and the proceeds are recognised as 'Income from other trading activities'. Where it is impracticable to fair value the items due to the volume of low value items they are not recognised in the financial statements until they are sold. This income is recognised within 'Income from other trading activities'.

Fixed asset gifts in kind are recognised in full when receivable and are included at fair value.



NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

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**1 Accounting policies (continued)**

**1c) Income recognition (Continued)**

Legacies are recognised when both entitlement to receive the income has been established and when it is probable that the income will be received. Receipt is assessed to be probable when: there has been grant of probate; and the executors have established that there are sufficient assets in the estate, after settling any liabilities, to pay the legacy. Legacies are measured at the fair value of income receivable based on available information.

Income from trading activities includes income earned from fundraising events and trading activities to raise funds for the charity. Income is received in exchange for supplying goods and services in order to raise funds and is recognised when entitlement has occurred.

Investment income is earned through holding assets for investment purposes such as shares and property. It includes dividends, interest and rent. Where it is not practicable to identify investment management costs incurred within a scheme with reasonable accuracy the investment income is reported net of these costs. It is included when the amount can be measured reliably. Interest income is recognised using the effective interest method and dividend and rent income is recognised as the charity's right to receive payment is established.

**1d) Expenditure recognition**

All expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all costs related to the category. Expenditure is recognised where there is a legal or constructive obligation to make payments to third parties, it is probable that the settlement will be required and the amount of the obligation can be measured reliably. It is categorised under the following headings:

- Costs of raising funds includes the expenditure incurred related to fundraising activities and the costs relating to the trading subsidiaries;
- Expenditure on charitable activities includes the expenditure incurred relating to the Inpatient unit, the Medical unit, the Day Hospice, the Community project, the Hospice at Home project, the Social work project, and the Education project; and
- Other expenditure represents those items not falling into the categories above.

Irrecoverable VAT is charged as an expense against the activity for which expenditure arose.

**1e) Support costs allocation**

Support costs are those that assist the work of the charity but do not directly represent charitable activities and include finance costs, governance costs, information technology costs, corporate services, facilities costs, non-attributable depreciation, and general overheads. They are incurred directly in support of expenditure on the objects of the charity. Where support costs cannot be directly attributed to particular headings they have been allocated to expenditure on charitable activities on an apportioned basis related to the expenditure as a percentage of total expenditure.

Fund-raising costs are those incurred in seeking voluntary contributions and do not include the costs of disseminating information in support of the charitable activities.

The analysis of these costs is included in note 8.

**1f) Tangible fixed assets and depreciation**

Tangible fixed assets are stated at cost (or deemed cost) or valuation less accumulated depreciation and accumulated impairment losses. Cost includes costs directly attributable to making the asset capable of operating as intended.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**1 Accounting policies (continued)****1f) Tangible fixed assets and depreciation (continued)**

Depreciation is provided on all tangible fixed assets, at rates calculated to write off the cost, less estimated residual value, of each asset on a systematic basis over its expected useful life as follows:

Freehold land is not depreciated	
Freehold buildings	3% p.a. straight line
Fixtures, fittings & equipment	25% p.a. straight line and reducing balance
Motor vehicles	25% p.a. reducing balance

**1g) Stock**

Stock is stated at the lower of cost and estimated selling price less costs to complete and sell. Cost includes all costs of purchase, costs of conversion and other costs incurred in bringing stock to its present location and condition. Cost is calculated using the first-in, first-out formula. Provision is made for damaged, obsolete and slow-moving stock where appropriate.

Donated stocks are fair valued as described in section 1c) above.

**1h) Financial instruments**

The charitable company has elected to apply the provisions of Section 11 'Basic Financial Instruments' and Section 12 'Other Financial Instruments Issues' of FRS 102 to all of its financial instruments.

Financial instruments are recognised in the charitable company's balance sheet when the charitable company becomes party to the contractual provisions of the instrument.

Financial assets and liabilities are offset, with the net amounts presented in the financial statements, when there is a legally enforceable right to set off the recognised amounts and there is an intention to settle on a net basis or to realise the asset and settle the liability simultaneously.

**i) Financial assets**

Basic financial assets, which include debtors, and cash and bank balances, are initially measured at transaction price including transaction costs and are subsequently carried at amortised cost using the effective interest method. Financial assets classified as receivable within one year are not amortised.

Other financial assets, including short term highly liquid investments are initially measured at fair value, with subsequent changes in fair value recognised in the Statement of Financial Activities. These include cash on deposit and cash equivalents with a maturity of less than one year.

Investments in subsidiaries are measured at cost less impairment.

Financial assets measured at amortised cost are assessed for indicators of impairment at each reporting end date. Financial assets are impaired where there is objective evidence that, as a result of one or more events that occurred after the initial recognition of the financial asset, the estimated future cash flows have been affected. If an asset is impaired, the impairment loss is the difference between the carrying amount and the present value of the estimated cash flows discounted at the asset's original effective interest rate. The impairment loss is recognised in the Statement of Financial Activities.

Financial assets are derecognised only when the contractual rights to the cash flows from the asset expire or are settled, or when the charitable company transfers the financial asset and substantially all the risks and rewards of ownership to another entity, or if some significant risks and rewards of ownership are retained but control of the asset has transferred to another party that is able to sell the asset in its entirety to an unrelated third party.

**ii) Financial liabilities**

Financial liabilities and equity instruments are classified according to the substance of the contractual arrangements entered into. An equity instrument is any contract that evidences a residual interest in the assets of the company after deducting all of its liabilities.

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

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**1 Accounting policies (continued)**

**1h) Financial instruments (continued)**

Basic financial liabilities, including creditors and loans from fellow group companies that are classified as debt, are initially recognised at transaction price unless the arrangement constitutes a financing transaction, where the debt instrument is measured at the present value of the future payments discounted at a market rate of interest. Financial liabilities classified as payable within one year are not amortised.

Debt instruments are subsequently carried at amortised cost, using the effective interest rate method.

Trade creditors are obligations to pay for goods or services that have been acquired in the ordinary course of business from suppliers. Amounts payable are classified as current liabilities if payment is due within one year or less. Trade creditors are recognised initially at transaction price and subsequently measured at amortised cost using the effective interest method.

Financial liabilities are derecognised when the company's contractual obligations expire or are discharged or cancelled.

**1i) Provisions**

Provisions are recognised when the charity has an obligation at the balance sheet date as a result of a past event, it is probable that an outflow of economic benefits will be required in settlement and the amount can be reliably estimated.

**1j) Leases**

Assets acquired under finance leases are capitalised and depreciated over the shorter of the lease term and the expected useful life of the asset. Minimum lease payments are apportioned between the finance charge and the reduction of the outstanding lease liability using the effective interest method. The related obligations, net of future finance charges, are included in creditors.

Rentals payable and receivable under operating leases are charged to the SOFA on a straight line basis over the period of the lease.

**1k) Pensions**

When employees have rendered service to the charity, short-term employee benefits to which the employees are entitled are recognised at the undiscounted amount expected to be paid in exchange for that service.

The charity operates a defined contribution plan for the benefit of its employees. Contributions are expensed as they become payable.

The charity also operates a defined benefit scheme which is closed to new members. The contributions made to the scheme are as recommended by the Scheme Trustees and the independent actuary. The regular cost of providing retirement pensions and related benefits is charged to the statement of financial activities over the employees' service lives on the basis of a constant percentage of earnings.

**1l) Tax**

The charity is an exempt charity within the meaning of schedule 3 of the Charities Act 2011 and is considered to pass the tests set out in Paragraph 1 Schedule 6 Finance Act 2010 and therefore it meets the definition of a charitable company for UK corporation tax purposes.

**1m) Going concern**

At the time of approving the financial statements the Trustees have a reasonable expectation that the charity has adequate resources to continue in operational existence for the foreseeable future and not less than one year from the date of approval. The Trustees and executive team are constantly monitoring the position of the charity and the ongoing uncertain situation in respect of COVID-19 and are taking actions to minimise the effect of the pandemic on the long-term reserves. Since the year end a significant value of additional government grant funding has been secured to cover some of the expected losses in income. In addition to this the Hospice has significant cash reserves and investments. Under all scenarios reviewed, the Hospice has sufficient reserves to enable it to continue as a going concern for the foreseeable future. For this reason it continues to adopt the going concern basis in preparing the financial statements.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**2 Donations and legacies**

	Unrestricted funds	Designated funds	Restricted funds	Total 2020	Total 2019
	£	£	£	£	£
Donations and gifts	1,591,689	-	1,613	1,593,302	2,448,875
Legacies	-	1,616,171	-	1,616,171	2,178,359
Department of Health	53,688	-	-	53,688	53,688
	<u>1,645,377</u>	<u>1,616,171</u>	<u>1,613</u>	<u>3,263,161</u>	<u>4,680,922</u>

**For the year ended 31 March 2019**

Unrestricted funds	1,547,454
Designated funds	2,177,219
Restricted funds	956,249
	<u>4,680,922</u>

Included within 2018/19 restricted funds was a donation of £950,100 for the refurbishment and modernisation of the inpatient unit. Due to accounting standards the associated costs of the refurbishment are expensed as the work is done. Refurbishment expenditure of £475,368 has been expensed in the 2018/19 accounts and a further £440,125 has been expensed in the 2019/20 accounts.

**3 Income from charitable activities**

	Unrestricted funds	Designated funds	Restricted funds	Total 2020	Total 2019
	£	£	£	£	£
Charitable activities	<u>2,915,501</u>	<u>-</u>	<u>-</u>	<u>2,915,501</u>	<u>2,960,592</u>

Included within income relating to charitable activities are: Clinical Commissioning Group 2,378,311 2,372,656

**For the year ended 31 March 2019**

Unrestricted funds	2,960,592
Designated funds	-
Restricted funds	-
	<u>2,960,592</u>

**4 Income from other trading activities**

	Unrestricted funds	Designated funds	Restricted funds	Total 2020	Total 2019
	£	£	£	£	£
Fundraising events	1,357,801	-	-	1,357,801	1,205,891
Income from commercial activities:					
- Charity shops	3,335,581	-	-	3,335,581	3,195,954
- Lottery	1,545,888	-	-	1,545,888	1,505,843
	<u>6,239,270</u>	<u>-</u>	<u>-</u>	<u>6,239,270</u>	<u>5,907,688</u>

**For the year ended 31 March 2019**

Unrestricted funds	5,907,688
Designated funds	-
Restricted funds	-
	<u>5,907,688</u>

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

5	Investment income	2020 £	2019 £
	Income from listed investments	181,926	201,466
	Interest receivable	16,541	6,302
		<u>198,467</u>	<u>207,768</u>

**For the year ended 31 March 2019**

Unrestricted funds	207,768
Designated funds	-
Restricted funds	-
	<u>207,768</u>

## 6 Analysis of costs of raising funds

	Direct costs £	Support costs £	Total 2020 £	Total 2019 £
Fundraising Costs	651,503	-	651,503	590,864
Costs of commercial activities:				
- Charity shops	2,055,481	-	2,055,481	1,784,188
- Lottery	679,389	-	679,389	635,135
	<u>3,386,373</u>	<u>-</u>	<u>3,386,373</u>	<u>3,010,187</u>

**For the year ended 31 March 2019**

Unrestricted funds	3,010,187
Designated funds	-
Restricted funds	-
	<u>3,010,187</u>

## 7 Analysis of expenditure on charitable activities

	Direct costs £	Support costs £	Total 2020 £	Total 2019 £
Inpatient	2,680,314	1,681,897	4,362,211	4,151,482
Medical	518,765	261,207	779,972	888,247
Day hospice	453,284	216,349	669,633	667,741
Community	1,578,983	772,750	2,351,733	2,238,803
Hospice at home	523,952	253,116	777,068	822,231
Social work	373,400	182,697	556,097	583,560
Education	52,081	25,839	77,920	76,694
	<u>6,180,779</u>	<u>3,393,855</u>	<u>9,574,634</u>	<u>9,428,758</u>
Unrestricted funds			8,720,001	8,533,395
Designated funds			414,508	419,104
Restricted funds			440,125	476,259
			<u>9,574,634</u>	<u>9,428,758</u>

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

## 8 Allocation of support costs

	Inpatient £	Medical £	Day Hospice £	Community £
Governance	48,419	9,905	8,351	29,577
Finance	173,505	36,713	30,295	108,399
Information technology	156,488	32,284	27,072	96,132
Corporate services	233,250	48,588	40,494	144,210
Facilities	691,785	53,392	43,984	157,507
Depreciation	177,977	35,394	30,387	106,717
General overheads	181,691	39,980	32,190	116,544
Defined benefit pension shortfall contributions	18,782	4,951	3,576	13,664
	<u>1,681,897</u>	<u>261,207</u>	<u>216,349</u>	<u>772,750</u>

## Allocation of support costs (Continued)

	Hospice at home £	Social work £	Education £	Total 2020 £
Governance	9,730	6,993	985	113,960
Finance	35,474	25,628	3,628	413,642
Information technology	31,583	22,729	3,205	369,493
Corporate services	47,308	34,096	4,815	552,761
Facilities	51,523	37,238	5,275	1,040,704
Depreciation	35,262	25,235	3,536	414,508
General overheads	37,910	27,550	3,923	439,788
Defined benefit shortfall contributions	4,326	3,228	472	48,999
	<u>253,116</u>	<u>182,697</u>	<u>25,839</u>	<u>3,393,855</u>

Support costs are allocated in proportion to total expenditure. Salary, wages and related costs are allocated to the charitable activities undertaken on the basis of the direct salary, wages and related costs incurred by each charitable activities. Other non-salary support costs are allocated to the charitable activities undertaken on the basis of the total salary costs and direct costs incurred by each charitable activity.

## 9 Analysis of governance costs

		2020 £	2019 £
Salaries, wages and related costs	Allocated on time basis	33,968	30,055
Audit fees (parent company)	Cost incurred	9,000	7,500
Premises costs	1.125% of total premises costs	21,724	18,938
Overheads	10% of overheads not included above	49,268	43,670
		<u>113,960</u>	<u>100,163</u>

## 10 Net income / (expenditure) for the year

	2020 £	2019 £
Net income / (expenditure) is stated after charging:		
Depreciation	414,508	419,104
Loss on disposal of tangible fixed assets	6,690	85,968
Auditors' remuneration (group) - audit services	14,295	14,200
Auditors' remuneration (group) - non audit services	3,360	3,300
Operating lease charges - buildings	<u>271,628</u>	<u>258,265</u>

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

11	Financial activities of the charity	2020 £	2019 £
	Gross income	11,900,940	13,089,484
	Total expenditure on charitable activities	(9,666,637)	(9,488,758)
	Fundraising costs	(2,670,761)	(2,331,641)
	Unrealised gains/ (losses) on investment assets	(577,193)	230,459
	Net income/ (expenditure)	(1,013,651)	1,499,544
	Total funds brought forward excluding pension reserve	15,415,356	13,915,812
	Total funds carried forward excluding pension reserve	14,401,705	15,415,356
	Represented by:		
	Unrestricted income funds	4,113,531	4,159,051
	Designated income funds	10,060,866	10,365,485
	Restricted income funds	227,308	890,820
		14,401,705	15,415,356

## 12 Trading subsidiaries

The charity controls the companies listed below by virtue of holding a controlling interest in the equity share capital:-

Name of subsidiary	Country of incorporation	% of equity share capital held
Douglas Macmillan Hospice Staffordshire Enterprises Limited	England & Wales	100
Douglas Macmillan Hospice Staffordshire Lotteries Limited	England & Wales	100

## Douglas Macmillan Hospice Staffordshire Enterprises Limited

## Summary of trading results

	2020 £	2019 Restated £
Turnover	62,117	69,456
Total expenditure	(36,223)	(43,410)
Profit for the year	25,894	26,046

The turnover from this entity is consolidated within total charity shop income reported in note 4 of these accounts.

All profits in this subsidiary are distributed to Douglas Macmillan Hospice after the year end.

The assets and liabilities of the Douglas Macmillan Hospice Staffordshire Enterprises Limited were:

Assets	33,089	32,858
Liabilities	(7,193)	(6,810)
Funds	25,896	26,048

## Douglas Macmillan Hospice Staffordshire Lotteries Limited

## Summary of trading results

	2020 £	2019 Restated £
Turnover	1,545,888	1,505,843
Total expenditure	(679,389)	(635,135)
Profit for the year	866,499	870,708

The assets and liabilities of the Douglas Macmillan Hospice Staffordshire Lotteries Limited were:

Assets	1,187,041	1,132,970
Liabilities	(320,540)	(262,260)
Funds	866,501	870,710

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**13 Analysis of staff costs, trustee remuneration and expenses, and the cost of key management personnel**

The total staff costs and employees benefits were:

	<b>2020</b>	<b>2019</b>
	<b>£</b>	<b>£</b>
Wages and salaries	7,740,676	7,307,108
Social security costs	642,847	598,707
Pension costs	1,056,432	916,801
	<u>9,439,955</u>	<u>8,822,616</u>

The number of employees who received total employee benefits (excluding employer pension costs) of more than £60,000 is as follows:

	<b>2020</b>	<b>2019</b>
	<b>Number</b>	<b>Number</b>
£60,001 to £70,000	5	-
£70,001 to £80,000	-	-
£80,001 to £90,000	1	2
£90,001 to £100,000	-	-
£100,001 to £110,000	1	2
£110,001 to £120,000	-	-
£120,001 to £130,000	<u>1</u>	<u>-</u>

The average monthly number of employees and full time equivalent (FTE) during the year was as follows:

	<b>2020</b>	<b>2020</b>	<b>2019</b>	<b>2019</b>
	<b>Number</b>	<b>FTE</b>	<b>Number</b>	<b>FTE</b>
Raising funds	103	86	86	71
Charitable activities	239	202	241	200
Governance	1	1	1	1
	<u>343</u>	<u>289</u>	<u>328</u>	<u>272</u>

The key management personnel of the charity comprise the members of its executive management team. The total employee benefits of the key management personnel of the charity were £424,799 (2019: £441,816).

The trustees neither received nor waived any remuneration during the year (2019:£Nil).

The trustees did not have any expenses reimbursed during the year (2019:£Nil).

The charity has received no donations with conditions from the trustees during the year (2019:£Nil).



**14 Pension costs**  
**FPS defined benefit scheme**

The charity contributes to a defined benefit scheme and the details are in note 20.

Contributions are made in accordance with the annual recommendations of a qualified independent actuary.

The contributions to this scheme in the year were £67,741 (2019: £67,088). Also during the year shortfall payments in respect of a recovery plan have been paid totalling £141,000 (2019: £141,000).

Contributions are also made to a second plan (FPS Federated Flexiplan) in accordance with actuarial recommendations.

**NHS defined benefit scheme**

The charity also contributes to the NHS Pension Scheme, which is an unfunded, defined benefit scheme that covers NHS employers, General Practices and other bodies, allowed under the direction of the Secretary of State, in England and Wales. The scheme is not designed to be run in a way that would enable NHS bodies to identify their share of the underlying scheme assets and liabilities. Therefore, the scheme is accounted for as if it were a defined contribution scheme: the cost to the NHS body of participating in the scheme is taken as equal to the contributions payable to the scheme for the accounting period.

A valuation of scheme liability is carried out annually by the scheme actuary (currently the Government Actuary's Department) as at the end of the reporting period. This utilises an actuarial assessment for the previous accounting period in conjunction with updated membership and financial data for the current reporting period, and are accepted as providing suitably robust figures for financial reporting purposes. The valuation of scheme liability as at 31 March 2020, is based on valuation data as At 31 March 2019, updated to 31 March 2020 with summary global member and accounting data. In undertaking this actuarial assessment, the methodology prescribed in IAS 19, relevant FReM interpretations, and the discount rate prescribed by HM Treasury have also been used.

The contributions to this scheme in the year were £304,347 (2019: £264,740).

**Aviva/Nest defined contribution schemes**

The charity also contributes to defined contribution schemes in respect of employees who do not qualify for the FPS scheme or the NHS scheme.

The contributions to these schemes in the year were £546,593 (2019: £431,359).

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

15	Tangible fixed assets Group and company	Land and buildings	Fixtures, fittings & equipment	Total
		£	£	£
	<b>Cost</b>			
	At 1 April 2019	8,437,663	1,446,471	9,884,134
	Additions	8,719	138,920	147,639
	Disposals	-	(65,434)	(65,434)
	At 31 March 2020	8,446,382	1,519,957	9,966,339
	<b>Depreciation</b>			
	At 1 April 2019	3,052,953	1,072,396	4,125,349
	Charge for the year	263,828	150,680	414,508
	Disposals	-	(56,745)	(56,745)
	At 31 March 2020	3,316,781	1,166,331	4,483,112
	<b>Net book value</b>			
	At 31 March 2020	5,129,601	353,626	5,483,227
	At 31 March 2019	5,384,710	374,075	5,758,785

16	Fixed asset investments	Cash	Listed inv.	Total	2019
		£	£	£	£
	Market value at 1 April 2019	95,793	6,207,428	6,303,221	6,116,065
	Additions at cost	(2,718,748)	2,718,748	-	-
	Disposals at carrying value	2,788,113	(2,788,113)	-	(7,690)
	Change in value in the year	-	(577,193)	(577,193)	230,459
	Other movement in cash balance	(36,924)	-	(36,924)	(35,613)
	Market value at 31 March 2020	128,234	5,560,870	5,689,104	6,303,221
	Historical cost at 31 March 2020	128,234	6,227,201	6,355,435	6,335,514

The following investments made up more than 5% each of the total market value of listed investments or bonds at 31 March 2020:

	2020	2019
	£	£
Allianz GLB Invest Gilt Yield	350,481	318,226
BNY Mellon FD MNGR Newton Asian Inc	235,804	362,968
Maitland Institutional Services MI select Managers Fund	429,598	-
Vanguard Funds PLC S&P 500	600,401	547,479

Summary of Investments	Group	Charity
	2020	2019
	£	£
Investment in subsidiary companies	-	-
Other investments	5,689,104	6,303,221
	5,689,104	6,303,221

The outbreak of the COVID-19 pandemic and the associated government measures to control the virus have had a significant impact on the market value of listed investments which lost £577,193 of value during the year. Since the year end the value of investments has recovered and as at 30 September 2020 the value had increased to £6,415,787. The listed investments market continues to be volatile and valuations may continue to fluctuate.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

17	Stock	Group		Charity	
		2020	2019	2020	2019
		£	£	£	£
	Stock in hand	5,221	13,021	-	-
		5,221	13,021	-	-
18	Debtors	Group		Charity	
		2020	2019	2020	2019
		£	£	£	£
	Trade debtors	1,221	42,102	1,221	41,376
	Amounts owed by subsidiary undertakings	-	-	-	-
	Other debtors	1,104,180	1,119,104	1,104,180	1,119,104
	Prepayments and accrued income	18,382	28,619	18,382	28,619
		1,123,783	1,189,825	1,123,783	1,189,099
19	Creditors: amounts falling due within one year	Group		Charity	
		2020	2019	2020	2019
		£	£	£	£
	Trade creditors	140,334	140,318	130,885	136,391
	Amounts owed to subsidiary undertakings	-	-	324,067	219,735
	Other creditors	400,568	361,705	116,240	106,334
	Taxes and social security	160,696	154,715	160,696	154,715
	Accruals and deferred income	494,917	359,939	488,366	354,289
		1,196,515	1,016,677	1,220,254	971,464
20	Pension and other post-retirement benefit commitments				
		Employee benefit obligations			
		Defined benefit pension plans			
	a) The amounts recognised in the balance sheet are as follows:	2020	2019		
		£	£		
	Present value of funded obligations	10,841,000	11,527,000		
	Fair value of plan assets	(8,597,000)	(9,318,000)		
	Deficit	2,244,000	2,209,000		
	Present value of unfunded obligations	-	-		
	Unrecognised past service cost	-	-		
	Irrecoverable surplus	-	-		
	Net pension liability recognised before tax	2,244,000	2,209,000		
	b) The amounts recognised in the statement of financial activities are as follows:				
	Current service cost included in staff costs within total resources expended	-	93,000		
	Past service cost	-	7,000		
		-	100,000		
	Net pension finance costs included within total resources expended:				
	Interest on obligation	258,000	275,000		
	Expected return on pension scheme assets	(209,000)	(220,000)		
		49,000	55,000		
	Total	49,000	155,000		
	Actual return on scheme assets over the period	(281,000)	568,000		

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

## 20 Pension and other post-retirement benefit commitments (continued)

## c) Included with other recognised gains and losses:

	2020	2019
	£	£
Return on assets, excluding interest income	(490,000)	348,000
Impact of surplus restrictions	-	-
Change in irrecoverable surplus	-	-
Actuarial gains/(losses) on liabilities	363,000	(368,000)
	<u>(127,000)</u>	<u>(20,000)</u>

## d) Changes in the present value of the scheme liabilities:

	2020	2019
	£	£
Opening liabilities	11,527,000	11,149,000
Current service cost	-	93,000
Past service cost	-	7,000
Interest cost	258,000	275,000
Contribution by scheme participants	-	21,000
Actuarial (gains) / Losses	(363,000)	368,000
Benefits paid	(581,000)	(386,000)
	<u>10,841,000</u>	<u>11,527,000</u>

## e) Changes in fair value of the scheme assets:

	£	£
Opening fair value of scheme assets	9,318,000	8,900,000
Expected return	209,000	220,000
Actuarial gains	(490,000)	348,000
Contributions by employer	141,000	215,000
Contributions from scheme participants	-	21,000
Benefits paid	(581,000)	(386,000)
	<u>8,597,000</u>	<u>9,318,000</u>

## f) The major categories of scheme assets are as follows:

	2020	2019
	£	£
Equity	2,690,000	3,148,000
Bonds	1,438,000	1,435,000
Diversified funds	3,073,000	3,324,000
LDI	1,357,000	1,331,000
Cash	15,000	63,000
Annuity contracts	24,000	17,000
	<u>8,597,000</u>	<u>9,318,000</u>

## g) Principal actuarial assumptions used by the actuary the balance sheet date

	2020	2019
	%	%
Discount rate at 31 March	2.30	2.30
Rate of inflation (RPI)	2.90	3.10
Rate of inflation (CPI)	2.20	2.30
Rate of salary increase	2.50	2.50
Rate of increase to pensions in payment		
- Pre 1997 (Discretionary)	0.00	0.00
- 1997 - 2009 (RPI max 5%)	2.90	3.00
- Post 2009 (RPI max 2.5%)	2.10	2.10

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**20 Pension and other post-retirement benefit commitments (continued)****g) Principal actuarial assumptions used by the actuary the balance sheet date (continued)**

Expected life expectancies on retirement at age 65 are:

	<b>2020 Years</b>	<b>2019 Years</b>
Males retiring immediately	19.80	20.30
Females retiring immediately	23.10	23.50
Males retiring in 20 years time	21.70	22.20
Females retiring in 20 years time	25.00	25.40

**21 Financial commitments****Commitments under operating leases**

As at 31 March 2020 the group was committed to making the following payments under non-cancellable operating leases as set out below:

	<b>2020 Land &amp; buildings £</b>	<b>2020 Other £</b>	<b>2019 Land &amp; buildings £</b>	<b>2019 Other £</b>
<b>Group:</b>				
Operating leases which expire:				
Within one year	6,750	6,655	7,366	-
Between two and five years	663,643	8,043	489,572	18,365
After five years	136,667	-	160,000	-
	<u>807,060</u>	<u>14,698</u>	<u>656,938</u>	<u>18,365</u>
	<b>2020 Land &amp; buildings £</b>	<b>2020 Other £</b>	<b>2019 Land &amp; buildings £</b>	<b>2019 Other £</b>
<b>Company:</b>				
Operating leases which expire:				
Within one year	6,750	6,655	2,000	-
Between two and five years	602,497	8,043	298,212	18,365
After five years	136,917	-	160,000	-
	<u>746,164</u>	<u>14,698</u>	<u>460,212</u>	<u>18,365</u>

**22 Capital commitments**

	<b>Group and Company 2020 £</b>	<b>Group and Company 2019 £</b>
Contracted, not provided for	-	474,732
	<u>-</u>	<u>474,732</u>

The Hospice was committed to the refurbishment and modernisation of the Inpatient Unit as at 31 March 2019.

**23 Company limited by guarantee**

Douglas Macmillan Hospice is a company limited by guarantee and accordingly does not have a share capital. Every member of the company undertakes to contribute such amount as may be required not exceeding £10 to the assets of the charitable company in the event of its being wound up while he or she is a member, or within one year after he or she ceases to be a member.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**24 Restricted funds**

The income funds of the charity include restricted funds comprising the following unexpended balances of donations and grants held for specific purposes:

	Movement in funds				
	Balances at 1 April 2019	Incoming resources	Resources expended	Transfers	Balances at 31 March 2020
	£	£	£	£	£
Inpatient unit refurbishment	474,732	-	(440,125)	-	34,607
Other specific purposes	416,088	1,613	-	(225,000)	192,701
	890,820	1,613	(440,125)	(225,000)	227,308

**Purposes of the funds**

The inpatient unit refurbishment fund represents donations received for refurbishment and modernisation of the inpatient unit.

Specific purposes represents various donations made where the donors have asked that the monies be utilised to fund a specific aspect of the hospice's activities or to purchase particular items of equipment.

**25 Designated funds**

The income funds of the charity includes the following designated funds which have been set aside out of unrestricted funds by the trustees for specific purposes:

	Movement in funds				
	Balances at 1 April 2019	Incoming resources	Resources expended	Transfers	Balances at 31 March 2020
	£	£	£	£	£
Fixed assets fund	5,758,785	-	(414,508)	138,950	5,483,227
Legacy equalisation fund	4,606,700	1,616,171	-	(1,645,232)	4,577,639
	10,365,485	1,616,171	(414,508)	(1,506,282)	10,060,866

The fixed assets fund has been set up to assist in identifying those funds that are not free funds and it represents the net book value of all assets.

The legacy equalisation fund has been designated by the trustees to provide for expenditure in future years. The trustees recognise the unpredictable nature of this source of income and have set aside funds to provide for expenditure not covered by income from other sources.

The transfer to the fixed asset fund is in respect of fixed asset additions in the year now designated by the trustees as part of the fixed asset fund and also fixed assets transferred from restricted funds.

The transfer from the legacy fund is to reflect the amount transferred to unrestricted income previously designated by the trustees. The amount is calculated on the multi year average of legacy income.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

## 26 Analysis of group net assets between funds

	Unrestricted funds £	Designated funds £	Restricted funds £	Total £
Fund balances at 31 March 2020 are represented by:				
Tangible fixed assets	-	5,483,227	-	5,483,227
Investments	2,347,681	3,341,423	-	5,689,104
Current assets	2,988,259	1,236,216	227,308	4,451,783
Current liabilities	(1,196,515)	-	-	(1,196,515)
	4,139,425	10,060,866	227,308	14,427,599
Pension reserve	(2,244,000)	-	-	(2,244,000)
Group net assets	1,895,425	10,060,866	227,308	12,183,599

## 27 Reconciliation of net movement in funds to net cash flow from operating activities

	Group 2020 £	2019 £	Charity 2020 £	2019 £
Net income for the reporting period	(1,048,801)	1,528,484	(1,048,651)	1,539,543
<b>Adjustments for:</b>				
Depreciation charges	414,508	419,104	414,508	419,104
Loss on disposal of tangible fixed assets	8,689	85,967	8,689	85,967
Loss on disposal of investments	-	7,690	-	7,690
Increase in investment cash balance	(32,441)	(5,059)	(32,441)	(5,059)
(Gains)/ losses on investments	577,193	(230,459)	577,193	(230,459)
Actuarial losses	127,000	20,000	127,000	20,000
Dividends, interest and rents from investments	(198,467)	(207,768)	(198,467)	(207,768)
Difference between pension charge and cash contributions	(92,000)	(60,000)	(92,000)	(60,000)
(Increase)/ decrease in stocks	7,800	(4,090)	-	-
Decrease in debtors	66,042	266,357	65,316	264,773
Increase in creditors	179,838	479,948	248,790	546,520
<b>Net cash provided by operating activities</b>	<b>9,361</b>	<b>2,300,174</b>	<b>69,937</b>	<b>2,380,311</b>

## 28 Analysis of net cash balances

	1 April 2019 £	Cash flow £	Non-cash changes £	31 March 2020 £
Cash at bank and in hand	3,193,225	129,554	-	3,322,779
Fixed asset investments	6,303,221	(36,924)	(577,193)	5,689,104
	9,496,446	92,630	(577,193)	9,011,883

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 31 MARCH 2020

**29 Financial instruments**

The carrying amounts of the charity's financial instruments are as follows:

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
<b>Financial assets</b>					
Measured at fair value through net income / expenditure:					
Fixed asset listed investments	16	5,689,104	6,303,221	5,689,108	6,303,225
Debt instruments measured at amortised cost:					
Trade debtors	18	1,221	42,102	1,221	41,376
Other debtors	18	1,104,180	1,119,104	1,104,180	1,119,104
		1,105,401	1,161,206	1,105,401	1,160,480
<b>Financial liabilities</b>					
Measured at amortised cost					
Trade creditors	19	140,334	140,318	130,885	136,391
Amounts owed to subsidiary undertakings	19	-	-	324,067	219,735
Other creditors	19	400,568	361,705	116,240	106,334
Taxes and social security	19	160,696	154,715	160,696	154,715
Accruals and deferred income	19	494,917	359,939	488,366	354,289
		1,196,515	1,016,677	1,220,254	971,464

The income, expenses, net gains and net losses attributable to the charity's financial instruments are summarised as follows:

	Notes	Group 2020 £	2019 £	Charity 2020 £	2019 £
Financial assets measured at fair value through net income / expenditure	16	(577,193)	230,459	(577,193)	230,459

**30 Funds held on behalf of third Parties**

Douglas Macmillan Hospice is providing administrative services to Symptom Control in Palliative Care. As part of this service Douglas Macmillan Hospice receives an administration fee.

Neither income nor the expenditure (with the exception of the administrative fee income) has been accounted for in the Statement of Financial Activities. Balances held in these bank accounts at the year end do not form part of the charity's assets and are not included in the balance sheet.

**31 Related party transactions**

There were no related party transactions during the year (2019: £Nil).

**32 Post-balance sheet events**

The outbreak of the coronavirus and the associated government measures to control the virus have had a significant impact on operations since 31 March 2020, as described in the Trustees' Report.

There are no amounts that are, or are required to be, reflected in these accounts in respect of the impact of the pandemic on operations.



### **Introduction**

1. This report undertakes a review of the Council's Standing Orders Related to Council Business (Standing Orders).
2. In accordance with normal practice, this review should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

### **Background**

3. It is good practice to review the Council's Standing Orders on a regular basis. The last review was undertaken in June 2019 and a number of changes have taken place since then, including Brexit and the pandemic.
4. A draft updated version of Standing Orders is attached. The revisions made are generally in respect of updated regulations and the consolidation, where appropriate, of temporary changes made during the pandemic. These changes are explained below.
5. There have also been some revisions made to improve English and readability which have no other material effect on the document.

### **Revisions**

6. The main proposed changes to Standing Orders are set out below.
7. **Standing Order 6.3b** – This relates to the location of meetings and has been updated to allow the Town Clerk to determine the location of meetings if a good reason exists not to hold the meetings in their originally planned location. It includes the conversion of previously planned physical meetings to online meetings, where permitted by law, and vice versa.
8. **Standing Orders 10.8 and 10.9** – These revisions consolidate the changes to dealing with urgent matters that have been in practice during the pandemic. They including the procedure for dealing with urgent planning matters, which have become more common since the Planning Consultative Committee has moved to monthly meetings.
9. **Standing Order 16.2a** – Serving notice on Councillors by email to attend meetings has been added.
10. **Standing Order 18.5** – The Standing Order now allows for dates other than 30<sup>th</sup> June for the accounts submission deadline if specified in national Regulations.

11. **Standing Order 19.5** – This is related to procurement, and has been updated to reflect Britain's exit from the European Union and the latest contract threshold figures.

### **Conclusions**

12. This report has considered the Council's Standing Orders Related to Council Business and made recommendation for updating them for consideration by the Committee.
13. In accordance with normal practice, these recommendations should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

### **Recommendations**

14. The Committee is recommended to:
- a. Update the Council's Standing Orders Related to Council Business in accordance with the proposed revisions contained in this report.
  - b. Consider any other changes that it would want to make to Standing Orders.

# Stone

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## Town Council



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### Standing Orders

### Related to Council Business

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September 2021

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# 1 GENERAL

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- 1.1 These standing orders govern the conduct of the business of the Council and may only be amended or varied by resolution of the Council<sup>1</sup>.
- 1.2 Should there be a clash between the provisions of this document and those within other documents which prescribe the activities of the Council, the order of precedence shall be:
  - a. National Legislation
  - b. The Council's Standing Orders (this document)
  - c. All other documents
- 1.3 All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting. *(NOTE: Where a standing order incorporates a mandatory statutory requirement, the requirement and the circumstances in which the requirement applies is indicated in brackets following the relevant standing order below. This does not indicate that the application of the standing order is limited only to those circumstances, but just indicates the extent to which the standing order can be suspended by this provision).*
- 1.4 A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least three councillors to be given to the Proper Officer in accordance with standing order 10 below.
- 1.5 The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after they have delivered their acceptance of office form.
- 1.6 The decision of the chairman<sup>2</sup> of a meeting as to the application of standing orders at the meeting shall be final.

# 2 RULES OF DEBATE AT MEETINGS

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- 2.1 Items on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- 2.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 2.3 A motion on the agenda that is not moved by its proposer will be treated by the chairman of the meeting as withdrawn.
- 2.4 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder.

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<sup>1</sup> All references to "the Council" in this document shall also be considered to refer to the General Purposes Committee for functions which have been delegated to that Committee.

<sup>2</sup> All references to "Chairman" and "Vice-Chairman" shall be considered to refer to the Town Mayor and Deputy Town Mayor in respect of a full Council meeting.

- 2.5 The mover of a motion shall have a right to reply, not exceeding five minutes, at the conclusion of the debate immediately before the motion is put to the vote. No further debate shall take place once this right to reply has been exercised.
- 2.6 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 2.7 If an amendment to the original motion is carried, the amendment becomes the substantive motion upon which further amendment(s) may be moved.
- 2.8 An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- 2.9 A councillor may make an amendment to their own motion. If a motion has already been seconded, the amendment shall require the consent of the seconder.
- 2.10 Subject to standing order 2.11 below, if there is more than one amendment to an original or substantive motion only one amendment shall be moved and debated at a time, in the order directed by the chairman of the meeting.
- 2.11 In exceptional circumstances, several amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- 2.12 A councillor may not move more than one amendment to an original or substantive motion.
- 2.13 The mover of an amendment has no right of reply at the end of debate on it.
- 2.14 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.
- 2.15 Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
- a. to speak on an amendment moved by another councillor;
  - b. to move or speak on another amendment if the motion has been amended since they last spoke;
  - c. to make a point of order;
  - d. to give a personal explanation; or
  - e. in exercise of a right of reply.
- 2.16 During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- 2.17 A point of order shall be decided by the chairman of the meeting, whose decision shall be final.
- 2.18 When a motion is under debate, no other motion shall be moved except:

- a. to amend the motion;
- b. to proceed to the next business;
- c. to adjourn the debate;
- d. to put the motion to a vote;
- e. to ask a person to be no longer heard or to leave the meeting;
- f. to refer a motion to a committee or sub-committee for consideration;
- g. to exclude the public and press;
- h. to adjourn the meeting; or
- i. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

- 2.19 Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that sufficient information is available to make a sound decision, the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
- 2.20 Excluding motions moved under standing order 2.18 above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the chairman of the meeting.

### 3 DISORDERLY CONDUCT AT MEETINGS

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- 3.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- 3.2 If these person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 3.3 If a resolution made under standing order 3.2 above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### 4 MEETINGS GENERALLY

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- 4.1 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. *(Mandatory: Council only)*
- 4.2 Public notice of the time and place of meeting shall be given by posting it outside the Council's offices at least three days before the meeting. 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. *(Mandatory: Council. For committees, the minimum three clear days' public notice for a meeting does not include the*

*day on which the notice was issued or the day of the meeting. There are no mandatory requirements for sub-committees)*

- 4.3 Meetings of the Council, committees and sub-committees 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.  
(Mandatory: Council and Committees)
- 4.4 Subject to standing order 4.3 above and the provisions of the Council's scheme of public participation, members of the public are permitted to:
- a. Make representations or raise issues at any ordinary Council meeting in relation to the work of the Council.
  - b. Raise issues at any ordinary committee or sub-committee meeting related to items of business on the agenda.
  - c. Present petitions at any ordinary Council meeting on issues within the Council's remit.
- 4.5 Subject to standing order 4.4, no more than two members of the public are entitled to speak at any full Council meeting, and shall each shall speak once only, for not more than 10 minutes. Where more than two members of the public have requested to speak, the Proper Officer shall determine which requests shall have preference, based on their relevance to the meeting, the urgency of the matter to be raised and the time that the request was received.
- 4.6 In accordance with standing order 4.4 above, a question asked by a member of the public during a public participation session at a full Council meeting shall not require a response at the meeting nor start a debate on the question.
- 4.7 In accordance with standing order 4.6 above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response, to a committee or sub-committee for further consideration or to an employee for a written or oral response.
- 4.8 Subject to standing order 4.4, no more than four members of the public are entitled to speak at any committee or sub-committee meeting, and shall each shall speak once only, for not more than three minutes (five minutes if there are two or less speakers). Where more than four members of the public have requested to speak, the Proper Officer shall determine which requests shall have preference, based on their relevance to the meeting, the urgency of the matter to be raised and the time that the request was received.
- 4.9 No response shall be made to a public submission made under paragraph 4.8 above, nor any debate entered into, as the item will be fully debated when the agenda item itself is considered.
- 4.10 A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 4.11 A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.



- 4.12 A person who speaks at a meeting shall direct their comments to the chairman of the meeting.
- 4.13 Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- 4.14 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. *(Mandatory: Council and Committees)*
- 4.15 Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council. *(Mandatory: Council)*
- 4.16 The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting. *(Mandatory: Council)*
- 4.17 Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting. *(Mandatory)*
- 4.18 The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote. *See standing orders 6.8 and 6.9 below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council. (Mandatory)*
- 4.19 Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, their own vote will be recorded in the minutes. Such a request shall be made before moving on to the next item of business on the agenda.
- 4.20 In addition, any councillor may request that 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.
- 4.21 The minutes of a meeting shall include an accurate record of the following:
- a. the time and place of the meeting;
  - b. the names of councillors present and absent;
  - c. interests that have been declared by councillors and non-councillors with voting rights;
  - d. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - e. if there was a public participation session; and
  - f. the resolutions made.
- 4.22 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.

- 4.23 No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council, committee or sub-committee are present and in no case shall the quorum of a meeting be less than three.
- 4.24 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.
- 4.25 A meeting shall not exceed a period of 1.5 hours, nor any group of meetings held on the same evening exceed 2.5 hours without a resolution of the meeting to continue beyond this limit.

## 5 COMMITTEES AND SUB-COMMITTEES

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- 5.1 The council may appoint standing committees or other committees and sub-committees as may be necessary, and:
- a. shall determine their terms of reference;
  - b. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
  - c. shall permit a committee and sub-committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - d. shall appoint and determine the terms of office of members of such a committee or sub-committee;
  - e. shall, after it has appointed the members of a committee or sub-committee, appoint the chairman of that committee or sub-committee;
  - f. shall determine if the public may participate at a meeting of a committee;
  - g. 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;
  - h. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - i. may dissolve a committee or sub-committee.
- 5.2 Unless the council determines otherwise, a committee or sub-committee may appoint one or more working groups whose terms of reference and members shall be determined by the appointing committee or sub-committee.
- 5.3 Notwithstanding any appointments made to sub-committees and working groups under standing orders 5.1d and 5.2 above, the Town Mayor and the chairman of the parent committee shall be ex-officio members of all sub-committees and working groups with full voting rights.
- 5.4 The members of a committee, sub-committee or working group may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- 5.5 Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

## 6 ORDINARY COUNCIL MEETINGS

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- 6.1 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- 6.2 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 may direct.
- 6.3 All meetings of the Council, its committees and sub-committees shall take place at 15 Station Road, Stone, with the first meeting commencing at 7:00pm, unless:
- a. it is specifically agreed otherwise at a previous meeting, or,
  - b. it is anticipated, prior to the dispatch of meeting notice(s), that there would be a good reason that the meeting(s) should not be held in this or another previously agreed location, wherein the Town Clerk would be authorised to arrange an alternative location for the meeting(s). This includes the calling of an online meeting where permitted by law, or the conversion of a previously planned online meeting to a physical one.
- 6.4 In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- 6.5 The first business conducted at the annual meeting of the Council shall be the election of the Town Mayor and Deputy Town Mayor.
- 6.6 The Town Mayor, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the council.
- 6.7 The Deputy Mayor, unless they resign or become disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the council.
- 6.8 In an election year, if the current Town Mayor has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes.
- 6.9 In an election year, if the current Town Mayor has been re-elected as a member of the Council, they shall preside at the meeting until a new Town Mayor has been elected. They may exercise an original vote in respect of the election of the new Town Mayor and must give a casting vote in the case of an equality of votes.
- 6.10 Following the election of the Mayor and Deputy Mayor at the annual meeting of the council, the business of the annual meeting may include:
- a. In an election year, delivery by the Town Mayor, Deputy Town Mayor and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor and Deputy Town Mayor of their acceptance of office forms unless the council resolves for this to be done at a later date;
  - b. Confirmation of the accuracy of the minutes of the last meeting of the council;
  - c. Receipt of the minutes of the last meeting of a committee;
  - d. Consideration of the recommendations made by a committee;

- e. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- f. Review of the terms of reference for committees;
- g. Appointment of members to existing committees;
- h. Appointment of any new committees;
- i. Review and adoption of appropriate standing orders and financial regulations;
- j. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- k. Review of representation on or work with external bodies and arrangements for reporting back;
- l. 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;
- m. Review of inventory of land and assets including buildings and office equipment;
- n. Confirmation of arrangements for insurance cover in respect of all insured risks;
- o. Review of the council's and/or staff subscriptions to other bodies;
- p. Review of the council's complaints procedure;
- q. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- r. Review of the council's policy for dealing with the press/media; and
- s. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

## 7 EXTRAORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES AND SUB-COMMITTEES

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- 7.1 The Town Mayor may convene an extraordinary meeting of the council at any time.
- 7.2 If the Town Mayor does not or refuses to 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 must be signed by the two councillors.
- 7.3 The chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- 7.4 If the chairman of a committee or a sub-committee does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of a committee or a sub-committee.

## 8 PREVIOUS RESOLUTIONS

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- 8.1 A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least six councillors to be given to the Proper Officer in accordance with standing order 10 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- 8.2 When a motion moved pursuant to standing order 8.1 above has been disposed of, no similar motion may be moved within a further six months.

## 9 VOTING ON APPOINTMENTS

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- 9.1 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 chairman of the meeting.

## 10 MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

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- 10.1 A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- 10.2 No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least ten clear days before the meeting. Clear days do not include the day of the notice, the day of the meeting, Saturdays, Sundays or Public Holidays.
- 10.3 The Proper Officer may, before including a motion on the agenda received in accordance with standing order 10.2 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 10.4 If the Proper Officer considers the wording of a motion received in accordance with standing order 10.2 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least ten clear days before the meeting.
- 10.5 If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- 10.6 Subject to standing order 10.5 above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 10.7 Should any urgent business arise between scheduled meetings of the Council or any standing committee or sub-committee, the Proper Officer will call a special meeting to deal with the issue.
- 10.8 Where urgent planning business occurs between ordinary meetings of the Council's Planning Consultative Committee, the Proper Officer shall circulate details of the business to Members, asking for comments. Where the view of Members is clear, and where no Member has requested that a special meeting of the Planning Consultative Committee should be arranged to discuss the business, those views shall be conveyed to the Borough Council by the Proper Officer following consultation with the Chairman of the Planning Consultative Committee or other appropriate Member(s) in the absence of the Chairman.
- 10.9 Where any matter is so urgent that it is not reasonable to call a special meeting with the legally required notice periods, the Council's Proper Officer is authorised to take any decision on behalf of the Council which can legally be delegated by the Council to an officer. Before taking such a decision, the Proper Officer shall take reasonable steps to consult with Council Members, and shall report the decision and the reason for its urgency at the next ordinary meeting of the Council or one of its committees if the decision would normally have been taken there.

## 11 MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

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- 11.1 The following motions may be moved at a meeting without written notice to the Proper Officer:
- a. to correct an inaccuracy in the draft minutes of a meeting;
  - b. to move to a vote;
  - c. to defer consideration of a motion;
  - d. to refer a motion to a particular committee or sub-committee;
  - e. to appoint a person to preside at a meeting;
  - f. to change the order of business on the agenda;
  - g. to proceed to the next business on the agenda;
  - h. to require a written report;
  - i. to appoint a committee or sub-committee and their members;
  - j. to extend the time limits for speaking;
  - k. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
  - l. to not hear further from a councillor or a member of the public;
  - m. to exclude a councillor or member of the public for disorderly conduct;
  - n. to temporarily suspend the meeting;
  - o. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
  - p. to adjourn the meeting; or
  - q. to close a meeting.

## 12 HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION

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- 12.1 The agenda, papers that support the agenda, and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- 12.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## 13 DRAFT MINUTES

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- 13.1 If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- 13.2 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 11.1a above.
- 13.3 The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 13.4 If the chairman 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 chairman 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 that view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- 13.5 Upon 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.

## 14 CODE OF CONDUCT AND DISPENSATIONS

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*See also standing order 4.22 above.*

- 14.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- 14.2 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.

- 14.3 Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall not take part in any debate or vote at a meeting when it is considering a matter in which they have a personal interest, though they would be permitted to take part in a public participation item in the same way as any member of the public.
- 14.4 Dispensation requests shall be in writing and submitted to the Proper Officer before the start of the meeting for which the dispensation is required.
- 14.5 A decision as to whether to grant a dispensation shall be made by the meeting of the council, committee or sub-committee for which the dispensation is required and that decision is final.
- 14.6 A dispensation request shall confirm:
- a. the description and the nature of the disclosable pecuniary interest or personal interest to which the request for the dispensation relates;
  - b. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - c. the date of the meeting or the period (not exceeding the remaining time to the next Council election) for which the dispensation is sought; and
  - d. an explanation as to why the dispensation is sought.
- 14.7 Subject to standing orders 14.4 and 14.6 above, dispensation requests shall be considered at the beginning of the meeting of the council, committee or a sub-committee for which the dispensation is required.
- 14.8 A dispensation may be granted in accordance with standing order 14.5 above if having regard to all relevant circumstances the following applies:
- a. 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, or
  - b. granting the dispensation is in the interests of persons living in the council's area, or
  - c. it is otherwise appropriate to grant a dispensation.

## 15 CODE OF CONDUCT COMPLAINTS

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- 15.1 Upon formal written notification from Stafford Borough Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 12 above, report this to the council.
- 15.2 Where the notification in standing order 15.1 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Town Mayor of this fact, and the Town Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 15.4 below.
- 15.3 The council may:



- a. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - b. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- 15.4 Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office. *(Mandatory)*

## 16 PROPER OFFICER

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- 16.1 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 or otherwise unable to act.
- 16.2 The Proper Officer shall:
  - a. at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by email (where agreed) or by delivery or post at their residences, a signed summons confirming the time, place and the agenda. *(Mandatory for council and committees. See standing order 4.2 above for the meaning of clear days.);*
  - b. give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them); *(Mandatory for council and committees. See standing order 4.2 above for the meaning of clear days.);*
  - c. subject to standing order 10 above, include on the agenda all motions put forward by councillors unless withdrawn by the councillor themselves at least six clear days before the meeting;
  - d. convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in the office *(Mandatory);*
  - e. facilitate inspection of the minute book by local government electors;
  - f. receive and retain copies of byelaws made by other local authorities *(Mandatory);*
  - g. retain acceptance of office forms from councillors;
  - h. retain a copy of every councillor's register of interests;
  - i. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
  - j. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
  - k. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
  - l. arrange for legal deeds to be executed; See also standing order 23 below.
  - m. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;

- n. record every planning application notified to the council and the council's response to the local planning authority;
- o. manage access to information about the council via the publication scheme; and
- p. retain custody of the seal of the council (if any) which shall not be used for the sealing of legal deeds without a resolution to that effect. *See also standing order 23 below.*

## 17 RESPONSIBLE FINANCIAL OFFICER

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- 17.1 The Town Clerk shall undertake the role of responsible financial officer, unless there is a council resolution appointing a different officer. The council shall appoint an appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## 18 ACCOUNTS AND ACCOUNTING STATEMENTS

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- 18.1 "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England)
- 18.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- 18.3 The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise the Council's income and expenditure compared with the approved budget and an explanation of significant variances.
- 18.4 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide each councillor with a statement summarising the council's income and expenditure for the year and the full council the accounting statements for the year in the form of the annual return, as required by proper practices, for consideration and approval.
- 18.5 The year-end accounting statements shall be prepared in accordance with proper practices for a year to 31 March. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June or any other such date as specified in regulations.

## 19 FINANCIAL CONTROLS AND PROCUREMENT

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

- c. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - d. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - e. procurement policies (subject to standing orders 19.3 to 19.8 below).
- 19.2 Financial regulations shall be reviewed regularly for fitness of purpose.
- 19.3 The letting of contracts by the Council must be in accordance with the Public Contracts Regulations 2015, or subsequent replacement/supplementary legislation.
- 19.4 Contracts below the value of £25,000 are outside the scope of standing orders, but may be governed by the provisions within the Council's financial regulations.
- 19.5 Contracts above the value prescribed in the Public Contracts Regulations 2015 of £189,330<sup>3</sup> or £4,733,252<sup>3</sup>, which have "detailed and complex" requirements will be undertaken in partnership with the Borough or County Council, who will be able to ensure that these complex regulations are adhered to.
- 19.6 Between these two figures, the Council may:
  - a. Advertise the contract or otherwise offer it on the open market. In this case the provisions of the 2015 regulations apply, and the contract must also be published on the "Contract Finder" website.
  - b. Offer the contract to a closed list of contractors, whereby the provisions of the 2015 regulations do not apply.
  - c. Offer the contract to its "preferred contractor" identified for that area of work, where the 2015 regulations regarding advertising on the "Contracts Finder" website would also not apply.
- 19.7 Subject to any 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 under standing orders 19.6a and 19.6b above where the value is anticipated to exceed £60,000 shall include, as a minimum, the following steps:
  - a. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - b. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - c. the invitation to tender shall be advertised in a local newspaper and/or other manner that is appropriate (standing order 19.6a only);
  - d. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - e. 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;

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<sup>3</sup> September 2021 values. These figures may vary from time to time.

- f. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

19.8 Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value, or any, tender.

## 20 STAFFING MATTERS

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20.1 The Town Clerk shall act as employer for of the Council's paid employees and voluntary staff.

20.2 All written records in respect of staffing matters shall be kept confidential and secure. Only persons with line management responsibilities shall have access to staff records if so justified.

20.3 Appointments, dismissals, performance, disciplinary issues and grievances shall be considered in accordance with the Council's Staffing Guidelines.

## 21 REQUESTS FOR INFORMATION

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21.1 Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

21.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the General Purposes Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 22 RELATIONS WITH THE PRESS/MEDIA

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

## 23 EXECUTION AND SEALING OF LEGAL DEEDS

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*See also standing orders 16.2l and 16.2p above.*

23.1 A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

23.2 Subject to standing order 23.1 above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.

## 24 RESTRICTIONS ON COUNCILLOR ACTIVITIES

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- 24.1 No Councillor shall purport to represent the Council, or make any suggestion that they have the authority to make a binding decision on behalf of the Council, unless previously authorised by a properly minuted resolution.
- 24.2 Unless authorised by a resolution, no councillor shall:
- a. inspect any land and/or premises which the council has a right or duty to inspect; or
  - b. issue orders, instructions or directions.

### **Introduction**

1. This report undertakes a review of the Council's Financial Regulations.
2. In accordance with normal practice, this review should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

### **Background**

3. It is good practice to review the Council's Financial Regulations on a regular basis. The last review was undertaken in June 2019 and a number of changes have taken place since then, including Brexit and the pandemic.
4. A draft updated version of Financial Regulations is attached. The revisions made are generally in respect of Brexit and changes agreed since the last full update. These changes are explained below.
5. There have also been some revisions made to improve English and readability which have no other material effect on the document.

### **Revisions**

6. The main proposed changes to Financial Regulations are set out below.
7. **Regulation 5.7b** – This changes the requirement to produce a report of all payments<sup>1</sup> alongside the quarterly budget monitoring reports to a requirement to produce a report of all payments<sup>1</sup> to each ordinary meeting of the General Purposes Committee. In practice, this increased frequency of reporting has already been taking place for several months.
8. **Regulation 5.10** – The update allows payments to be made using PayPal. Payments by PayPal were approved by this Committee at its meeting on 5<sup>th</sup> November 2019, Minute 20/123. The revision consolidates this amendment, and requires all electronic payments to be included in the report to this Committee required by Regulation 5.7b.
9. **Regulation 10.3** - This is related to procurement, and has been updated to reflect Britain's exit from the European Union and the latest contract threshold figures.

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<sup>1</sup> except those already exempted by regulation 5.8

## **Conclusions**

10. This report has considered the Council's Financial Regulations and made recommendation for updating them for consideration by the Committee.
11. In accordance with normal practice, these recommendations should not be considered at the meeting on 7<sup>th</sup> September 2021, but stand adjourned until the next ordinary meeting of the Committee.

## **Recommendations**

12. The Committee is recommended to:
  - a. Update the Council's Financial Regulations in accordance with the proposed revisions contained in this report.
  - b. Consider any other changes that it would want to make to Financial Regulations.

# Stone

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## Town Council



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## Financial Regulations

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September 2021



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# 1 GENERAL

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- 1.1 These regulations govern the conduct of the financial activities of the Council and may only be amended or varied by resolution of the Council or the General Purposes (GP) Committee<sup>1</sup>.
- 1.2 Should there be a clash between the provisions of this document and those within other documents which prescribe the activities of the Council, the order of precedence shall be:
  - a. National Legislation
  - b. The Council's Standing Orders
  - c. Financial Regulations (this document)
  - d. All other documents
- 1.3 The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.4 The council's accounting control systems must include measures:
  - a. for the timely production of accounts;
  - b. that provide for the safe and efficient safeguarding of public money;
  - c. to prevent and detect inaccuracy and fraud; and
  - d. identifying the duties of officers.
- 1.5 These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.6 Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7 Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8 The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Town Clerk shall be the Council's Responsible Financial Officer (RFO), and as such shall be responsible for the proper administration of the Council's financial affairs.

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<sup>1</sup> All references to "the Council" in this document shall also be considered to refer to the General Purposes Committee for functions which have been delegated to that Committee.

The terms “Town Clerk” and “RFO” are, however, used separately throughout this document to allow for a situation where this may not be the case.

- 1.9 The Town Clerk and/or RFO may delegate items ascribed to them within this document to another employee, but will still remain accountable to the Council for those items.
- 1.10 The RFO;
- a. acts under the policy direction of the council;
  - b. administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - c. determines on behalf of the council its accounting records and accounting control systems;
  - d. ensures the accounting control systems are observed;
  - e. maintains the accounting records of the council up to date in accordance with proper practices;
  - f. assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
  - g. produces financial management information as required by the council.
- 1.11 The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.12 The accounting records determined by the RFO shall in particular contain:
- a. entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
  - b. a record of the assets and liabilities of the council; and
  - c. wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.13 The accounting control systems determined by the RFO shall include:
- a. procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - b. procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;

- c. identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
  - d. procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
  - e. measures to ensure that risk is properly managed.
- 1.14 The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular, any decision regarding:
- a. setting the final budget or the precept (council tax requirement);
  - b. approving accounting statements;
  - c. approving an annual governance statement;
  - d. borrowing;
  - e. writing off bad debts;
  - f. declaring eligibility for the General Power of Competence; and
  - g. the consideration of any report from the Council's internal or external auditors,
- shall be a matter for the full council only.
- 1.15 In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.
- 1.16 In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

## 2 ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

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- 2.1 All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 2.2 The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts

shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

- 2.3 The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.4 The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.5 The internal auditor shall:
  - a. be competent and independent of the financial operations of the council;
  - b. report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - c. to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - d. have no involvement in the financial decision making, management or control of the council.
- 2.6 Internal or external auditors may not under any circumstances:
  - a. perform any operational duties for the council;
  - b. initiate or approve accounting transactions; or
  - c. direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.7 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.8 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.9 The RFO shall, without undue delay, bring to the attention of all councillors any report from internal or external auditors.

### 3 ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

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- 3.1 The Council's budget shall be prepared on an "Income and Expenditure" basis.
- 3.2 The GP Committee shall consider a report of the RFO setting out the prospects for the following three years' capital and revenue budgets no later than January each year. Each Sub-Committee shall be asked to formulate its proposed budget for the next three years based on policy guidelines determined by the GP Committee, and to submit these proposals to the Committee for further consideration.
- 3.3 After considering the Sub-Committees' proposals, the GP Committee shall determine a balanced and affordable budget to be recommended to the Council for the following three financial years.
- 3.4 The Council shall review the GP Committee's recommendations not later than the end of February each year and shall fix the Precept to be levied for the ensuing financial year and determine indicative precepts for the following two years.
- 3.5 The annual budget shall form the basis of financial control for the ensuing year.

### 4 BUDGETARY CONTROL AND AUTHORITY TO SPEND

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- 4.1 The Town Clerk is authorised to seek tenders/quotations, place orders and make payments in accordance with the approved annual budget, the Council's policies, and these Financial Regulations. Where the annual budget identifies specific items for which no expenditure should be incurred without the express approval of the Council, the Clerk should refer proposed spending for approval before that spending is incurred. In all other cases, the Clerk is authorised to proceed without specific approval.
- 4.2 The RFO shall regularly provide the Council with a budget monitoring statement comparing actual expenditure against that planned for each approved budget head.
- 4.3 The Town Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure. Where there is no available budget, the Clerk shall, wherever possible, discuss the issue with the Chairman of the General Purposes Committee or, in their absence, the Vice Chairman or Town Mayor before incurring the expenditure. Where no or insufficient budget provision existed, the Town Clerk shall report the action to the Council as soon as practicable thereafter.
- 4.4 In general, unspent provisions in the revenue budget shall not be carried forward to a subsequent year. Where a budget has been agreed by the Council as a "rollover budget", then unspent amounts may be rolled-over into the subsequent financial year by making

use of a rollover reserve. This provision may also be used on a one-off basis for specific items, subject to agreement of the Council.

- 4.5 All expenditure and income of the Council shall be included within its revenue account unless a specific Council resolution has determined that it shall be treated as capital. Once such as resolution has been passed, no expenditure shall be incurred in relation to any such capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained, to meet the full projected costs of the project.
- 4.6 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.7 Changes in earmarked reserves, other than the rollover reserve, shall require approval by council.
- 4.8 Notwithstanding the provisions above, all expenditure and income related to the Town Mayor's charity will, in the interests of transparency, be accounted for by the use of a specified reserve account for each Town Mayor.

## 5 BANKING ARRANGEMENTS AND PAYMENTS

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- 5.1 The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed.
- 5.2 All invoices for payment shall be examined, verified and certified by the Clerk. The Clerk shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received or carried out in accordance with the needs of the Council.
- 5.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall settle invoices promptly.
- 5.4 All cash received must be banked intact.
- 5.5 No petty cash account shall be maintained.
- 5.6 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance, pension contributions or other reasons, should be made from the Council's bank account.
- 5.7 A schedule showing payments from the Council's bank accounts shall be prepared by the RFO and presented:
  - a. To the Council on a quarterly basis in respect of payments over £250, and,
  - b. To the General Purposes Committee at each ordinary meeting.

- 5.8 For the purposes of the schedules referred to in paragraph 5.7 above:
- a. Staff salary and related payments should not be included, but total figures for a period should be made available to any Member on request. Details of payments to individual employees will only be made available in accordance with paragraph 6.4 below.
  - b. Payments in respect of the Mayor's Charity Fund will not be included, but should be made available to any Member on request.
- 5.9 The Council acknowledges that the commitment to make a payment occurs at the time an order is placed or similar arrangement made, not at the time a payment itself is made. It does not, therefore, consider that excessive controls on payments which may hamper the efficient operation of the Council need to be applied, providing that adequate controls over ordering and reporting are in place in accordance with these regulations.
- 5.10 Payments may be made by way of cheque, direct debit, bank transfer, purchasing card, PayPal, internet banking, BACS or CHAPS, provided that:
- a. All cheques shall be signed by two individuals included within the bank mandate, at least one of which shall be a Member of the Council and not more than one shall be an officer.
  - b. Transfers between Council bank accounts may be authorised by the RFO.
  - c. Payments via purchasing card can be made by a single authorised officer, and are limited to £1,000 in any single transaction, with a maximum of £5,000 outstanding at any one time.
  - d. Electronic payments and direct debits, including payments via PayPal and internet banking, can be made by a single authorised officer, but the supporting paperwork should also be signed by a second officer. All such payments should be included within the report to the General Purposes Committee required by regulation 5.7b above, subject to the exceptions set out in paragraph 5.8 above.
- 5.11 Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted. Officers authorising payments will be required to follow these same arrangements in respect of pecuniary or other interests.

## 6 PAYMENT OF SALARIES

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- 6.1 As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.



- 6.2 Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.
- 6.3 Once an employee's salary and conditions has been determined by the Council or an authorised Appointments Panel and a contract of employment has been signed, no changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council, except where required for the payment of overtime, absence cover, incremental progression or similar matters.
- 6.4 Payments to individual employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall not be open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a. by any councillor who can demonstrate a need to know;
  - b. by the internal auditor;
  - c. by the external auditor; or
  - d. by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 6.5 Any termination payments beyond those required by law shall require the approval of the Council.

## 7 LOANS AND INVESTMENTS

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- 7.1 All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 7.2 Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the council in the first instance, though the renewal and extension of existing leases may be authorised by the Town Clerk providing that there is provision within the Council's budget and that he/she is satisfied that the arrangement represents value for money for the Council.
- 7.3 All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 7.4 The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

- 7.5 All investments of money under the control of the council shall be in the name of the council.
- 7.6 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 7.7 Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 above.

## 8 INCOME

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- 8.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 8.2 Particulars of all charges to be made for work done, services rendered or goods supplied by the Council shall be considered annually by the council as part of the budget process, and notified to the RFO who shall be responsible for the collection of all accounts due to the council.
- 8.3 The council will undertake a full review of all fees and charges periodically, following a report of the Clerk.
- 8.4 Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 8.5 All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 8.6 A record shall be maintained by the RFO of the amounts making up the total of each paying-in slip.
- 8.7 Personal cheques shall not be cashed out of money held on behalf of the council.
- 8.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 8.9 Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 8.10 Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the

Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 15 below).

## 9 ORDERS FOR WORK, GOODS AND SERVICES

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- 9.1 An official order number shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Details of orders shall be retained.
- 9.2 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.
- 9.3 A Member may not specify the use of a particular supplier, issue an official order or make any contract (verbal or written) on behalf of the council.
- 9.4 The RFO shall satisfy themselves as to the lawful nature of any proposed purchase before the issue of an order.

## 10 CONTRACTS

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- 10.1 Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to the following items:
  - a. for the supply of gas, electricity, water, sewerage and telephone services;
  - b. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - c. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - d. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
  - e. for additional audit work of the external auditor;
  - f. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price: and
  - g. In circumstances where continuity of supplier is considered by the RFO to offer greater benefits to the Council than retendering.
- 10.2 Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015

("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>2</sup>.

- 10.3 The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive (which may change from time to time)<sup>3</sup>.
- 10.4 Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- 10.5 All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- 10.6 Any invitation to tender issued under this regulation shall be subject to the requirements of Standing Orders related to procurement<sup>4</sup> and shall refer to the terms of the Bribery Act 2010.
- 10.7 When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- 10.8 Where the Clerk has determined that there is a benefit to the Council to let a contract in association with one or more other partners, or to make use of another authority's facilities such as the County Council's e-tendering system, the requirements of these regulations shall be replaced by the requirements of the regulations of the lead body for the letting of the contract.
- 10.9 When it is to enter into a contract of less than £25,000 but in excess of £3,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph 10.1 above the Clerk or RFO shall, where possible, obtain 3 quotations. Below this figure, the Clerk or RFO shall seek to obtain the best overall value for money for the

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<sup>2</sup> The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

<sup>3</sup> Thresholds currently applicable are:

- a. For public supply and public service contracts £189,330
- b. For public works contracts £4,733,252

<sup>4</sup> Standing Order 19 based on the version effective from September 2021 which was current at the time of preparing this document. This reference may change in subsequent versions of standing orders.

Council after taking into account cost, quality of service and availability, and shall strive to obtain one or more estimates for the work/service to be performed.

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

## **11 PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)**

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- 11.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 11.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum by 5% or more a report shall be submitted to the council.
- 11.3 Any variation to a contract or addition to or omission from a contract must be approved by the Town Clerk on behalf of the Council and notified to the Contractor in writing before any work has begun, the Council being informed where the final cost is likely to exceed the financial provision as a result.

## **12 STORES AND EQUIPMENT**

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- 12.1 Where the Council operates a system of stock control, or holds a supply of equipment for the use of a number of people, the Town Clerk shall be responsible for the arrangements for the care and custody of these stores and equipment.
- 12.2 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.
- 12.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 12.4 The RFO shall be responsible for periodic checks of stocks and stores at least annually.

## 13 ASSETS, PROPERTIES AND ESTATES

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- 13.1 The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council in accordance with Accounts and Audit Regulations.
- 13.2 No tangible moveable property shall be sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 13.3 No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.4 No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.5 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

## 14 INSURANCE

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- 14.1 Following an annual risk assessment, the RFO shall effect all insurances and negotiate all claims on the council's insurers in consultation with the Clerk.
- 14.2 The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 14.3 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 14.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 14.5 All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council, or duly delegated committee.

## 15 CHARITIES

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

## 16 RISK MANAGEMENT

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- 16.1 The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 16.2 When considering any new activity, the Clerk [with the RFO] shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

## 17 SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

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- 17.1 It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 17.2 The council may, by resolution, suspend any part of these Financial Regulations provided that the advice of the RFO regarding the risks and implications has been considered prior to the suspension. Details of the suspension must be recorded in the minutes, and must include a record of the advice of the RFO if the council has chosen not to follow it.

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## Town Council



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## Councillor Code of Conduct

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October 2021



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# 1 INTRODUCTION

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- 1.1 The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.
- 1.2 As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.
- 1.3 Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.
- 1.4 This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government. The document is based on the Model Councillor Code of Conduct developed by the Local Government Association (LGA).
- 1.5 All councils are required to have a local Councillor Code of Conduct.

# 2 DEFINITIONS

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- 2.1 For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who:
  - a. is a member of any committee or sub-committee of the authority, or;
  - b. is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".
- 2.2 For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

### 3 PURPOSE OF THE CODE OF CONDUCT

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

### 4 GENERAL PRINCIPLES OF COUNCILLOR CONDUCT

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- 4.1 Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.
- 4.2 Building on these principles, the following general principles have been developed specifically for the role of councillor.
- 4.3 In accordance with the public trust placed in me, on all occasions:
- I act with integrity and honesty
  - I act lawfully
  - I treat all persons fairly and with respect; and
  - I lead by example and act in a way that secures public confidence in the role of councillor.
- 4.4 In undertaking my role:
- I impartially exercise my responsibilities in the interests of the local community
  - I do not improperly seek to confer an advantage, or disadvantage, on any person
  - I avoid conflicts of interest
  - I exercise reasonable care and diligence; and
  - I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## 5 APPLICATION OF THE CODE OF CONDUCT

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- 5.1 This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.
- 5.2 This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:
- you misuse your position as a councillor
  - Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;
- 5.3 The Code applies to all forms of communication and interaction, including:
- at face-to-face meetings
  - at online or telephone meetings
  - in written communication
  - in verbal communication
  - in non-verbal communication
  - in electronic and social media communication, posts, statements and comments.
- 5.4 You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.
- 5.5 Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## 6 STANDARDS OF COUNCILLOR CONDUCT

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- 6.1 This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.
- 6.2 Guidance is included to help explain the reasons for the obligations and how they should be followed.

## **7 RESPECT**

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### **7.1 As a councillor:**

- I treat other councillors and members of the public with respect.
- I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

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

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

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

## **8 BULLYING, HARASSMENT AND DISCRIMINATION**

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### **8.1 As a councillor:**

- I do not bully any person.
- I do not harass any person.
- I promote equalities and do not discriminate unlawfully against any person.

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

**8.3** The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such

conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

- 8.4 Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.5 The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

## **9 IMPARTIALITY OF OFFICERS OF THE COUNCIL**

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

## **10 CONFIDENTIALITY AND ACCESS TO INFORMATION**

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- 10.1 As a councillor:
- I do not disclose information:
    - i. given to me in confidence by anyone
    - ii. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless:
      - I have received the consent of a person authorised to give it;
      - I am required by law to do so;
      - the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the

third party agrees not to disclose the information to any other person; or

▪ the disclosure is:

- reasonable and in the public interest; and
- made in good faith and in compliance with the reasonable requirements of the local authority; and
- I have consulted the Monitoring Officer prior to its release.

- I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.
- I do not prevent anyone from getting information that they are entitled to by law.

10.2 Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **11 DISREPUTE**

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11.1 As a councillor:

- I do not bring my role or local authority into disrepute.

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

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

## **12 USE OF POSITION**

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### **12.1 As a councillor:**

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

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

## **13 USE OF LOCAL AUTHORITY RESOURCES AND FACILITIES**

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### **13.1 As a councillor:**

- I do not misuse council resources.
- I will, when using the resources of the local or authorising their use by others:
  - i. act in accordance with the local authority's requirements; and
  - ii. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

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

### **13.3 Examples include:**

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

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



## 14 COMPLYING WITH THE CODE OF CONDUCT

---

### 14.1 As a Councillor:

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

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

## 15 INTERESTS

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### 15.1 As a councillor:

- I register and disclose my interests.

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

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

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

15.5 Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek appropriate advice.

## 16 GIFTS AND HOSPITALITY

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### 16.1 As a councillor:

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

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

## APPENDIX A: THE SEVEN PRINCIPLES OF PUBLIC LIFE

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The principles are:

### **Selflessness**

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

### **Integrity**

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

### **Objectivity**

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

### **Accountability**

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

### **Openness**

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

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

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

## APPENDIX B: REGISTERING INTERESTS

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1. Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in Table 2 (Personal Interests).
2. "Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.
3. "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.
  - a. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer (Clerk in respect of a town or parish council, who will then notify the Monitoring Officer).
  - b. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
  - c. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### **Non participation in case of Disclosable Pecuniary Interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

### **Disclosure of Personal Interests**

5. Where a matter arises at a meeting which directly relates to one of your Personal Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
7. Where a matter arises at a meeting which affects –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative, close associate; or
  - c. a body included in those you need to disclose under Other Registerable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

8. Where a matter affects your financial interest or well-being:
  - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

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

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

## TABLE 1: DISCLOSABLE PECUNIARY INTERESTS

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

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract made between the member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities<sup>1</sup>) and the Council:</p> <ul style="list-style-type: none"> <li>(a) under which goods or services are to be provided or works are to be executed; and</li> <li>(b) which has not been fully discharged.</li> </ul>
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the member's knowledge):</p> <ul style="list-style-type: none"> <li>(a) the landlord is the Council; and</li> <li>(b) the tenant is a body in which the member, or his/her spouse or civil partner/ the person with whom the member is living as if they were spouses/civil partners has a beneficial interest.</li> </ul>
Securities	<p>Any beneficial interest in securities of a body where:</p> <ul style="list-style-type: none"> <li>(a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and</li> <li>(b) either: <ul style="list-style-type: none"> <li>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</li> </ul> </li> </ul>

<sup>1</sup> 'Securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## TABLE 2: PERSONAL INTERESTS

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You have a personal interest in any business of your authority which relates to or is likely to affect:

1. Any body of which the member is in a position of general control or management and to which he/she has not been appointed or officially nominated by the Council;
2. Any body:
  - a. exercising functions of a public nature;
  - b. directed to charitable purposes; or
  - c. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

---

**From:** Corporate Support <corporatesupport@staffordbc.gov.uk>  
**Sent:** 13 September 2021 09:01  
**Subject:** Consultation - Draft Statement of Principles 2022 to 2025 - Gambling Act 2005  
**Attachments:** Gambling-Act-2005-Draft-SOP-2022-2025.pdf

Dear Consultee,

## **Gambling Act 2005 Draft Statement of Principles 2022 to 2025**

I write with reference to the above and to advise you that Stafford Borough Council has published a draft copy of its revised Gambling Act Statement of Principles for the period 2022 to 2025.

The Council would be grateful if you could take the time to read the draft Statements of Principles and make comment upon it during the consultation period which runs between **13 September and 22 October 2021**.

If appropriate, I would also ask you to forward the draft Statement of Principles to another colleague or organisation who you think might have an interest in commenting upon it.

The draft Statement of Principles is available online, the link to the consultation page is:  
<https://www.staffordbc.gov.uk/surveys>

I have attached a copy for your convenience.

If you would like to respond by email your comments should be made by no later than **midnight 22 October 2021** to: [ehlicensing@staffordbc.gov.uk](mailto:ehlicensing@staffordbc.gov.uk)

Your comments can also be sent by letter to:

The Licensing Section  
Stafford Borough Council  
Civic Centre  
Riverside  
Stafford  
ST16 3AQ

Yours Sincerely,

Licensing Manager



[www.staffordbc.gov.uk](http://www.staffordbc.gov.uk)

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# **Gambling Act 2005**

## **Draft Statement of Principles 2022 - 2025**

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# Part A – The Gambling Act 2005

## 1 The Licensing Objectives

- 1.1 Under the Gambling Act 2005 (the Act), Stafford Borough Council is the Licensing Authority. The Council licenses premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the Council are to Stafford Borough Council.
- 1.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operators licence and personal licence from the Gambling Commission before they approach the Council for a premises licence.
- 1.3 The Council is responsible for licensing premises where gambling activities are to take place. The Council is also responsible for a number of other matters which are listed in paragraph 12.1 below.
- 1.4 The Council will carry out its functions under the Act and will aim to permit gambling in accordance with the three licensing objectives set out at Section 1 of the Act. The expectation is that gambling premises will ensure that the licensing objectives are met. The three licensing objectives are:
  - Preventing gambling from being a source of crime or disorder, being associated with crime or being used to support crime;
  - Ensuring that gambling is conducted in a fair and open way;
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.5 More information on the licensing objectives can be found later in this document. It should be noted that the licensing objectives do not include ensuring public safety or the prevention of public nuisance.
- 1.6 When making decisions about applications for premises licences, the Council is bound by, and committed to, a statutory aim to permit gambling insofar as it considers that any application made:
  - Is in accordance with any relevant Code of Practice issued by the Gambling Commission;
  - Is in accordance with any relevant guidance issued by the Gambling Commission;

- Is reasonably consistent with the licensing objectives; and
  - Is in accordance with the Council's Statement of Principles.
- 1.7 The Licensing Authority would emphasise that moral or ethical objections to gambling are not valid reasons for the rejection of premises licences applications.

## **2 Introduction and consultation process**

- 2.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act.
- 2.2 The Council **intends to consult** widely on this Statement of Principles. The list of those **to be consulted** during the 2021 consultation exercise is provided within paragraph 2.4 below.
- 2.3 The Council will continue to monitor the effectiveness of this policy and will consider changes to the policy in the light of any new legislation and/or developments affecting the local area. It will consult with stakeholders at the time it is considering any such changes. The Council must review and publish this statement of principles at least every three years.
- 2.4 List of persons and agencies **to be consulted** by this authority:
- The Gambling Commission
  - Staffordshire Police
  - Staffordshire Safeguarding Children Board
  - Staffordshire County Council Social Services
  - Staffordshire Fire and Rescue Service
  - Staffordshire Youth Services
  - Director of Public Health
  - Community Wellbeing Partnership
  - British Beer and Pub Association
  - Association of British Bookmakers
  - Stafford Borough Council elected members
  - Stafford Borough Council's Corporate Business and Partnership Team
-

- All parish and town councils in Stafford Borough Council
- Stafford Chamber of Trade
- Neighbouring local authorities
- Existing licence holders
- Growth, Regeneration and Infrastructure Partnership

**2.5 The consultation will take place between 13 September and 22 October 2021.**

### **3 Exchange of Information and Data Protection**

- 3.1 Licensing authorities are required to include, in their policy, the principles which are to be applied to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act. It may also share information with other bodies responsible for auditing or administering public funds for these purposes, e.g. UK National Fraud Initiative.
- 3.2 The information that you have provided will be used by Stafford Borough Council, as data controller, to allow it to carry out its statutory obligations in relation to the administration, compliance and enforcement of the licensing function within the Borough. The Council will only share your information with agencies involved in licence processing or licensing enforcement where the law requires or permits it to do so. For further information, please see:

<https://www.staffordbc.gov.uk/PrivacyNotices>

### **4 Equality and Diversity**

- 4.1 **The Council is committed to promoting diversity and equality of opportunity to everyone it comes into contact with. This is an essential part of improving services for everyone. This can only be achieved by promoting equality for all groups of people and removing discrimination and harassment.**

Through policies and service delivery, the Council's main aims for ensuring equality and diversity are to:

- Eliminate unlawful discrimination ;
- Advance equality of opportunity between those who share a protected characteristic and people who do not ;
- Foster good relations between those who share a protected characteristic and people who do not.

4.2 The Council refreshed its Equalities Policy during 2021 and the overarching aim of this policy is that consideration to equality becomes an intrinsic part of daily working, the organisation culture and service delivery.

4.3 There are two main objectives that support the aim and objectives in the Corporate Business Plan and these relate to :

Organisational commitment

Delivering the best outcomes for residents, businesses and visitors in our borough

A copy of the policy can be found at:

<https://www.staffordbc.gov.uk/equality-and-inclusion-policy>

## **5 Crime and Disorder Act 1998**

5.1 Under section 17 of the Crime and Disorder Act 1998 the Council is under a statutory duty to do all that it can to prevent crime and disorder within its area and is mindful of concerns over the use of licensed premises for criminal activity, for example money laundering and drug dealing.

5.2 The Council will work in partnership with licence holders, local businesses, responsible authorities, councillors and local people with the aim of promoting the licensing objectives.

## **6 The Licensing Framework**

6.1 The Gambling Act 2005 changed the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with Central Government and local authorities to regulate gambling activity.

6.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite operator's licence and personal licence from the Gambling Commission before they approach the Council for a premises licence. In this way, the Gambling Commission is able to ensure that applicants have the correct credentials to operate gambling premises.

6.3 The Council's role is to ensure premises are suitable for providing gambling in accordance with the three licensing objectives and any Codes of Practice issued by the Gambling Commission. The Council also issues various permits and notices for smaller scale gambling.

6.4 The Council does not license large society lotteries or remote gambling through websites. These are regulated by the Gambling Commission. The



National Lottery is not regulated by the Gambling Act 2005 but continues to be regulated by the National Lottery Commission under the National Lottery Act 1983.

## **7 Local Area Profile**

- 7.1 Applicants are referred to the web links given in paragraphs 8.9 to 8.13 below. These web pages give wide ranging information on the Council's local area which should be taken into account by applicants who are preparing local risk assessments. These web links are reviewed and updated on a regular basis so as to reflect changes to local characteristics, trends and conditions.
- 7.2 Stafford Borough is one of eight District and Borough Councils that make up Staffordshire in the West Midlands. Stafford is the county town and the Borough is the largest Staffordshire district, stretching across 59,187 hectares equating to approximately 230 miles. Predominately rural, with 32% of the population living in these areas, its economic scale score of 84.71 ranks it as medium size by British standards.
- 7.3 Stafford Borough currently has more than 135,880 residents and this figure is expected to increase to approximately 142,900 by 2033. The Borough has an ageing population, with more people living here who are over 65 years; there is a lower proportion of children and young people aged under 24 years of age with average proportions of adults aged 35 – 50 years.
- 7.4 The ethnicity of the population is approximately 94% White British, which is comparable to the population of Staffordshire.
- 7.5 According to the most recent figures, the Gross Value Added (GVA) of Stafford is £3,200,000 representing 18% of the whole county of Staffordshire GVA. Median weekly earnings for full-time employees reached £585 in April 2019.
- 7.6 Between April 2018 and April 2019, 35.7% of full-time employees experienced a real term pay decrease or pay freeze, a reduction from 43.3% in 2018. Stafford's full-time workers continued to see an increase in weekly pay to £606.70 compared to £550.8 in the West Midlands and £587 across Great Britain.
- 7.7 The ward indicator matrix demonstrates that there are six ward areas that are more deprived and experience poorer outcomes. The wards with the highest levels of need in terms of families and communities facing multiple issues are: Common, Coton, Doxey and Castletown, Forebridge, Highfields and Western Downs, and Penkside.
- 7.8 There are approximately 60,000 households in the borough which are predominantly owner-occupied

- 7.9 The average price of a house in Stafford Borough is £184,156. This is above the Staffordshire average price, but below the national and regional average.
- 7.10 Residents of Stafford Borough generally live longer, with the healthy life expectancy in the district better than the national average for both males (81 years) and females (83 years). However, the life expectancy for both men and women living in deprived areas is six years less.
- 7.11 The new Corporate Business Plan sets out the council's vision and objectives for the next three years and details a shared vision for economic and housing growth, community health and wellbeing, climate change and financial sustainability.

<https://www.staffordbc.gov.uk/corporate-business-plan>

- 7.12 All of our outcomes for our residents, families and communities are affected by a wide range of social, demographic, environmental and economic factors which are inextricably linked. It is often the same families and communities that have poor outcomes and who more likely to be the victims and also perpetrators of crime and anti-social behaviour. There is increasing focus upon public sector organisations working in partnership with each other, the voluntary, business sectors and communities to plan, design, resource, build and deliver services around people, families and communities in the most disadvantaged communities to support them to improve their life opportunities.
- 7.13 The Council will proactively engage with all responsible authorities as well as other organisations to ensure any new applications or applications to vary existing licences are assessed by taking the local area profile risks into account. Applicants should therefore consider how they will address these risks and address these matters in any applications.

## **8 Local Risk Assessment**

- 8.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) which were revised and published in October 2020 require operators to consider local risks from the provision of gambling at their premises. Please see Code of Practice provisions, section 10 :

<https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp>

- 8.2 The Social Responsibility (SR) code requires applicants to assess the local risk to the licensing objectives posed by the provision of gambling facilities at each of their premises. It also requires them to have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, applicants must take into account any relevant matters identified within this statement of principles.

- 8.3 Applicants are required to undertake a local risk assessment (LRA) when applying for a new premises licence. Further, their risk assessment must also be updated:
- When applying for a variation of a premises licence.
  - To take account of significant changes in local circumstances, including any identified within this policy statement.
  - Where there are significant changes at premises that may affect the mitigation of local risks.
- 8.4 The Council encourages operators to keep a copy of the LRA at the premises at all times. The LRA must be provided to the Council when applying for a new premises licence or for a variation to the existing premises licence. **Upon such application, the Council will consider the need to condition premises licences to require operators, to keep a copy of the LRA on the premises at all times.**
- 8.5 The LRA should set out measures the applicant has in place to address areas of local concern. In broad terms, the LRA should include reference to any specified local risk, how the operator intends to mitigate any risks identified and how the operator will monitor those risks.
- 8.6 **The Council will expect the LRA to consider as a minimum:**
- **the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather.**
  - **the demographics of the area in relation to vulnerable groups;**
  - **whether the premises is in an area subject to high levels of crime and/or disorder.**
  - **LRAs should show how vulnerable people, including people with gambling dependencies are protected.**
- 8.7 **Applicants will need to consider socio-economic, demographic and health and wellbeing factors** when drafting their LRA. These factors are referred to within the paragraphs 8.9 to 8.13 below.
- 8.8 The Council will expect applicants to have an understanding of the local profile and address the Council's concerns in respect of protecting children and other vulnerable people by ensuring that the licensing objectives are met. This should be demonstrated via the LRA.
- 8.9 The web links below are links to external documents which are intended to assist applicants in obtaining a greater understanding of the local area. Applicants should take this information into account when drafting any LRA.

- 8.10 The Public Health England Stafford Borough Health Profile can be viewed at:  
<https://fingertips.phe.org.uk/profile/health-profiles/data#page/1/gid/1938132696/pat/6/par/E12000005/ati/101/are/E07000197>
- 8.11 Staffordshire County Council and the Staffordshire Observatory Locality Profile for the Stafford Borough can be found at:  
[Stafford Data Pack 2018 \(staffordshireobservatory.org.uk\)](http://staffordshireobservatory.org.uk)
- 8.12 The Stafford and Surrounds Health and Wellbeing Strategy 2020-2024 can be found at:  
<https://www.staffordbc.gov.uk/Community-Safety-and-Wellbeing-Strategy-2020-2024>
- 8.13 The Stafford Borough Community Safety Strategic Assessment:  
<https://www.staffordbc.gov.uk/Community-Safety-Strategic-Assessment>
- 8.14 Having considered the information provided above, applicants should provide the licensing authority with the policies and procedures they have in place, which are designed to prevent underage gambling. These policies and procedures should also take account of the structure and layout of the particular premises as well as any training provided to staff.
- 8.15 In the event of any application to vary a premises licence, operators will be required to provide the licensing authority with any age-related compliance test results which relate to the premises concerned.
- Self-exclusion details
  - Attempts to gamble by under 18s
  - Test Purchase results
  - Anti social behaviour issues on the incident log
  - Police reports and call outs
  - Sharing information with nearby agencies e.g. treatment centres
  - Protections in place when footfall is highest
  - Betwatch or similar

- 8.16 With respect to preventing vulnerable people from gambling, applicants must demonstrate how they intend to ensure that the licensing objective is met. This might include providing details about their own self exclusion schemes and their intentions towards the Multi Operator Self Exclusion Scheme (MOSES).
- 8.17 In LRAs applicants should provide details of the responsible gambling information that they make available to customers. This should include information from organisations such as Gambleaware <https://about.gambleaware.org/> and GamCare <http://www.gamcare.org.uk/>
- 8.18 Local Risk Assessments (LRAs) should detail what controls are in place for challenging excluded persons from entering into the premises and what arrangements are in place for monitoring the use of fixed odds betting terminals (FOBT).

## 9 Declaration

- 9.1 This Policy Statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence; these applications will be considered on their own merits and according to the statutory requirements of the Gambling Act 2005.
- 9.2 In producing the finalised Statement of Principles, the Council declares that it will have regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the Policy Statement.

## 10 Responsible Authorities

- 10.1 The Act allows certain agencies to act as responsible authorities. Responsible authorities are able to make representations about licence applications or apply for a review of an existing licence. Responsible authorities may also offer advice and guidance to applicants.
- 10.2 The Council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authority's area;
  - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

- 10.3 In accordance with the regulations, the Council designates the Staffordshire County Council, Local Safeguarding Children Board for this purpose.
- 10.4 The contact details of all the responsible authorities under the Gambling Act 2005 can be found on the Council's website at:

<https://www.staffordbc.gov.uk/responsible-authorities>

## 11 Interested Parties

- 11.1 Interested parties are people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as set out below.
- 11.2 For the purposes of this part, a person is an interested party if, in the opinion of the licensing authority which issued the licence or to which the application is made, the person:
- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
  - (b) has business interests that might be affected by the authorised activities, or
  - (c) represents persons who satisfy paragraphs (a) or (b).
- 11.3 The Council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:
- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission: Guidance to Local Authorities.
  - In order to determine if an interested party lives or has business interests sufficiently close to the premises to be likely to be affected by the gambling activities, the Council will consider factors such as the size of the premises and the nature of the activities taking place.
- 11.4 **The Council will consult with the Director of Public Health on all Premises Licence applications.**

## 12 Licensing Authority Functions

- 12.1 Licensing authorities are responsible under the Act for:
- Licensing premises where gambling activities are to take place by issuing premises licences

- Issuing provisional statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to commercial clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of up to two gaming machines
- Granting Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises under the Licensing Act 2003, where more than two machines are required
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices (for tracks)
- Providing information to the Gambling Commission regarding details of licences issued (see section above on information exchange)
- Maintaining registers of the permits and licences that are issued under these functions

12.2 The Council does not license remote gambling. This matter falls to the Gambling Commission.

## **Part B –The Licensing Objectives**

### **13 Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**

- 13.1 The Gambling Commission takes the lead role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however encourage licensing authorities to pay particular attention to the proposed location of gambling premises in terms of this licensing objective.
- 13.2 Such association with crime may include: money laundering; counterfeiting; drug dealing or any similar involvement in organised crime.
- 13.3 Operators are also required to consider child protection issues such as the risk of child sexual exploitation, as part of this Licensing Objective.

### **14 Ensuring that Gambling is conducted in a fair and open way**

- 14.1 The Gambling Commission takes the lead role in ensuring that gambling is conducted in a fair and open way and addresses this via operating and personal licences.
- 14.2 The Council will take operator licence conditions into account and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other information.
- 14.3 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document, and also in Part D which covers permits and notices.

### **15 Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

- 15.1 This licensing objective seeks to prevent children from taking part in most types of gambling and where appropriate, the Council may require specific measures at particular premises which are designed to ensure that the licensing objectives are met.
- 15.2 Preventative measures may include the supervision of premises and machines and appropriate training for staff with regard to suspected truanting school children and how staff should deal in general with unsupervised children.
- 15.3 The Council will pay particular attention to any Codes of Practice which the Gambling Commission issues with respect to this licensing objective.



- 15.4 The Council does not seek to offer a definition for the term “vulnerable people” but for regulatory purposes it will assume that this group includes elderly people, people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or because of the influence of alcohol or drugs.

## **Part C - Premises Licences**

### **16 Introduction to Premises Licensing**

- 16.1 The Council will issue premises licences to allow those premises to be used for certain types of gambling. Premises licences may, for example, be issued to amusement arcades, bingo halls and bookmakers.
- 16.2 Premises licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

#### **Definition of ‘Premises’**

- 16.3 Premises are defined in the Act as ‘any place’. Different premises licences cannot apply in respect of single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact within any given circumstances.
- 16.4 The Council will take particular care when considering applications for multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes. In particular, the Council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area.
- 16.5 The Council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the Council will consider before granting such applications include whether children can gain access; compatibility of the two establishments and the ability to comply with the requirements of the

Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

### **Location**

- 16.6 The Council is aware that demand issues (e.g. the likely demand or need for gambling facilities in the area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 16.7 When considering the licensing objectives, the Council's may, upon receipt of any relevant representations, look at location as a specific issue. Location issues might include, but are not be limited to:
- The proximity of the premises to schools and vulnerable adult centres.
  - The proximity of the premises to residential areas where there may be a high concentration of families with children.
  - The size of the premises and the nature of the activities taking place.
  - The level of organised crime in the area.
- 16.8 Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.
- 16.9 This policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant to show how any concerns can be overcome.

### **Duplication with other regulatory regimes**

- 16.10 The Council will seek to avoid any duplication with other statutory/regulatory systems such as planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will listen to and consider carefully any concerns about conditions which the licence holder cannot meet because of planning restrictions.

## Conditions

16.11 Applications will be granted subject only to the mandatory and default conditions. Such conditions are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. Additional conditions will only be imposed where there is evidence of a risk to the licensing objectives that requires that the mandatory and default conditions be supplemented. Conditions will only be attached to premises licences where there is evidence of a need to do so.

16.12 Any conditions attached to licences will be proportionate and will be:

- Relevant to the need to make the proposed building suitable as a gambling facility.
- Directly related to the premises and the type of licence applied for, and/or related to the area where the premises are based.
- Fairly and reasonably related to the scale and type of premises; and,
- Reasonable in all other respects.

16.13 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures which the Council may consider. These include the use of door supervisors, supervision of adult gaming machines and appropriate signage for adult only areas. The Council will also expect the applicants to ensure that the licensing objectives are effectively met.

16.14 There are conditions which the Council cannot attach to premises licences which are:

- Any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
- Conditions relating to gaming machine categories, numbers or method of operation;
- Conditions which provide that membership of a club or body be required; and,
- Conditions in relation to stakes, fees, winnings or prizes.

## Door supervision

The Council may consider whether there is a need for door supervision in terms of the licensing objectives. Where door supervisors are required, it is the operator's responsibility to ensure that any persons employed in this capacity are fit and proper to carry out such duties.

## 17 Adult Gaming Centres and Licensed Family Entertainment Centres

- 17.1 Adult Gaming Centres (AGC's) are commonly found within town centre environments and are able to make category B, C and D gaming machines available to adults. Nobody under the age of 18 is permitted to enter an AGC.
- 17.2 Licensed Family Entertainment Centres (LFECs) are those premises which usually provide a range of amusements such as computer games and penny pushers. They may have a separate section set aside for adult only gaming machines with higher stakes and prizes and are able to make available a certain number of category C and D machines. Clear segregation must be in place so children do not access the areas where the category C machines are located.
- 17.3 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in the above premises. The Council will expect applicants to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to adult gaming centres or adult only gaming machine areas within the LFEC.
- 17.4 The Council will expect applicants to offer their own measures to meet the licensing objectives.
- 17.5 Appropriate measures/licence conditions may cover:
- Proof of age schemes (e.g. PASS schemes)
  - The use of Challenge 25 policy
  - The use of 'No ID No Entry' policy
  - CCTV
  - Staff supervision and training
  - Detailed plan
  - Social responsibility policies
-

- **Staff easily identifiable**
- Door supervision
- Supervision of machine areas
- Physical separation of areas
- Location of entry
- **Clear** Notices/signage
- Specific opening hours
- Staff training in the law and the provision of a named point of contact to help ensure compliance.
- Measures/training for staff on how to deal with suspected truanting school children and how to recognise signs of potential child sexual exploitation
- Clear policies that outline the steps to be taken to protect children from harm
- Self-exclusion schemes and the provision of leaflets/helpline numbers to organisations such as GamCare, the Responsible Gambling Trust or GambleAware etc.
- Ensure that there is a policy in place which addresses the Multi operator self exclusion scheme (MOSES)

This list is not mandatory nor exhaustive and is merely indicative.

## **18 Casinos**

- 18.1 The Council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

## **19 Bingo Premises**

- 19.1 Bingo is not statutorily defined within the Gambling Act 2005. Such premises may however, provide cash and prize bingo. In addition, bingo premises are also able to provide a limited number of gaming machines in line with the provisions of the Act.

- 19.2 It is important that where children are allowed to enter Bingo premises, that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the operator must ensure that:
- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
  - Only adults are admitted to the area where the machines are located
  - Access to the area where the machines are located is supervised
  - The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder, and
  - At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 19.3 Other measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.5 above.

## **20 Betting Premises**

- 20.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises.
- 20.2 The Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines and the nature and circumstances in which they are made available by attaching a licence condition to a betting premises licence. The Council is also aware that it is not possible to restrict the number of gaming machines which may be made available within betting premises.
- 20.3 When considering whether to impose a condition to restrict the number of betting machines in particular premises the Council, amongst other things, will take into account the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.
- 20.4 Measures which applicants will need to consider in meeting the licensing objectives are outlined in paragraph 17.5 above.

## **21 Tracks**

- 21.1 Currently the licensing authority does not licence any tracks which permit on-course betting. Where an application for a track premises licence is proposed, the applicant should contact the Council's Licensing Unit at the earliest opportunity. The Council's focus will be on the need to protect children and vulnerable persons from being harmed or exploited by gambling and the need to ensure that entrances to premises are distinct. Children must be excluded from gambling areas where they are not permitted to enter.

## **22 Travelling Fairs**

- 22.1 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair.
- 22.2 The 27-day statutory maximum for the land being used as a fair is per calendar year. This applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. Where appropriate, the Council will liaise with neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

## **23 Provisional Statements**

- 23.1 The provisional statement process provides an alternative to making a premises licence application. The process permits an applicant to examine the likelihood of whether a building which has yet to be constructed or is about to be altered for the purpose of gambling would be granted a premises licence when the building work is complete.
- 23.2 A provisional statement is not a licence and merely gives the holder some form of assurance that a premises licence would be granted so the project can be started. Once works are complete a full premises licence would still be required.
- 23.3 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage or they reflect a change in the applicant's circumstances. In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:
- (a) which could not have been raised by objectors at the provisional licence stage; or

- (b) which in the Authority's opinion reflect a change in the operator's circumstances

23.4 When determining a provisional statement application the Council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

## **Part D - Permits, Temporary / Occasional Use Notices And Small Society Lottery Registrations**

### **24. Unlicensed Family Entertainment Centre Gaming Machine Permits**

24.1 The term 'Unlicensed Family Entertainment Centre' is one defined in the Act and refers to premises which provide category D gaming machines along with various other amusements such as computer games and penny pushers. The premises are 'unlicensed' in that they do not require a premises licence but do require a permit to be able to provide category D machines. It should not be confused with a 'Licensed Family Entertainment Centre' which does require a premises licence because it contains both category C and D gaming machines.

24.2 In accordance with Gambling Commission guidance, the Council will carefully consider child protection issues when considering applications for permits. This consideration will generally engage two of the three licensing objectives: These are:

- Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

24.3 The Council will expect applicants to show that there are policies and procedures in place to protect children from harm from gambling and to promote wider child protection issues as part of the crime prevention objective. Policies must include appropriate measures/training for staff regarding how staff would deal with unsupervised children being on the premises, or children causing problems on or around the premises.

24.4 The Council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that



are set out in Schedule 7 of the Act), and that staff are trained to have a full understanding of the maximum stakes and prizes.

- 24.5 The Council is aware that an application for a permit may only be granted if the Chief Officer of Police has been consulted on the application.
- 24.6 In line with the Act the Council cannot attach conditions to this type of permit and the statement of principles only applies to initial applications and not to renewals.

## **25 Gaming Machine Permits in premises licensed for the sale of alcohol**

- 25.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines of categories C and/or D. The premises merely need to notify the Council. The Council can remove the automatic authorisation in respect of any particular premises if:
- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
  - Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (ie that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant Code of Practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
  - The premises are mainly used for gaming; or
  - An offence under the Gambling Act has been committed on the premises.
- 25.2 If a premises wishes to have more than two machines, then application must be made for a permit. The Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005, and 'such matters as it thinks relevant'. The Council considers that 'such matters' will be decided on a case by case basis, but generally regard will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will also expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines

- 25.3 Measures which may satisfy the Council that there will be no access could include the adult machines being situated in close proximity to the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also help. Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as Gam Care.
- 25.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be dealt with under the relevant provisions of the Act.
- 25.5 The Council can decide to grant the application with a smaller number of machines and/or a different category of machines from that applied for. Conditions (other than these) cannot be attached
- 25.6 The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 25.7 A summary of gaming machine categories and entitlements can be found at Appendix B of the Guidance issued to licensing authorities by the Gambling Commission.

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>

## **26 Prize Gaming Permits**

- 26.1 The Council will expect the applicant to set out the types of gaming that he or she is intending to offer and be able to demonstrate:
- That they understand the limits to stakes and prizes that are set out in regulations;
  - That the gaming offered is within the law.
- 26.2 In making its decision on an application for prize gaming permits, the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 26.3 There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Council cannot attach conditions. The conditions in the Act are:
- The limits on participation fees, as set out in regulations, must be complied with

- All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated, and the result of the game must be made public in the premises on the day that it is played
- The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- Participation in the gaming must not entitle the player to take part in any other gambling.

## **27 Club Gaming and Club Machines Permits**

- 27.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club gaming machines permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A club gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D).
- 27.2 To qualify for these special club permits, a members' club must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.
- 27.3 Before granting the permit, the Council will need to satisfy itself that the premises meet the requirements of a members' club and that the majority of members are over 18 years of age.
- 27.4 The Council may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which they have applied
  - (b) the applicant's premises are used wholly or mainly by children and/or young persons
  - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities

- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Gambling Commission or the Police.

## **28 Temporary Use Notices**

- 28.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.
- 28.2 The Act makes a special reference, in the context of temporary use notices, to a 'set of premises' to try and ensure that large premises which cannot reasonably be reviewed as separate are not used for more temporary use notices than permitted under the Act. The Council considers that the determination of what constitutes a 'set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a 'set of premises', the Council will look at, amongst other things, the ownership/occupation and control of the premises.
- 28.3 The Council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

## **29 Occasional Use Notices (for Tracks)**

- 29.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice.
- 29.2 The Council has very little discretion regarding these notices apart from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will however consider the definition of a 'track' and whether the applicant is entitled to benefit from such notice.

## 30 Small Society Lottery Registrations

- 30.1 The Act creates two principal classes of lotteries - licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries, there are four sub classes, one of which is small society lotteries.
- 30.2 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These may be administered by the Council for small societies who have a principal office in the area and wish to run such a lottery.
- 30.3 To be 'non-commercial', a society must be established and conducted:
- For charitable purposes
  - For the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
  - For any other non-commercial purpose other than that of private gain.
- 30.4 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'

## Part E - Enforcement

### 31 Enforcement Principles

- 31.1 The Council will work closely with other agencies in targeting known high risk premises. In doing so, the Council will follow Government guidance on better regulation.
- 31.2 The Council recognises that the Regulators Code applies to all activities under the Act. This will however, be most obvious in respect of the Councils inspection and enforcement duties and the powers to institute criminal proceedings. The Regulators' Code can be found at:  
<https://www.gov.uk/government/publications/regulators-code>
- 31.3 The Council will aim to be:

#### **Proportionate:**

Regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised.

**Accountable:**

Regulators must be able to justify decisions and be subject to public scrutiny.

**Consistent:**

Rules and standards must be joined up and implemented fairly.

**Transparent:**

Regulators should be open and keep regulations simple and user friendly.

**Targeted:**

Regulation should be focused on the problem and minimise side effects.

- 31.4 The Council's Enforcement Policy, which explains how the Council deals with non-compliance and unlawful gambling activity, can be found at:

<https://www.staffordbc.gov.uk/enforcement-policy>

- 31.5 Known enforcement issues which the Council's Licensing Unit will address include illegal gambling machines in takeaways and poker in pubs.
- 31.6 The Council will endeavour to avoid duplication with other regulatory regimes.
- 31.7 The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licence conditions and other permissions. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Gambling Commission. In circumstances where the Council believes a premises requires a premises licence for gambling activities and no such licence is in force, the Council will notify the Gambling Commission.
- 31.8 The Council will also have regard to any guidance issued and keep itself informed of developments regarding the work of the Regulatory Delivery Division of the Department of Business Innovation and Skills in its consideration of the regulatory functions of local authorities.

## **32 Reviews**

- 32.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked or suspended or that conditions may be amended or new conditions added.

32.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Council to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is:

- In accordance with any relevant Code of Practice issued by the Gambling Commission
- Reasonably consistent with the licensing objectives; and
- In accordance with this Authority's Statement of Gambling Policy.
- In accordance with any relevant guidance issued by the Gambling Commission

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>

32.3 In addition the Council may also reject the application on the grounds that the request is frivolous, vexatious, will not cause the authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review.

32.4 The Council can also initiate a review of a licence on the basis of any reason which it thinks appropriate. This may for instance follow a second failed compliance test at the premises.

32.5 Before sitting as a member of the Licensing Sub Committee, members will need to attend a Gambling Act 2005 training session with officers from Legal Services and Licensing. Members will need to attend refresher training every year that they remain a member of the Licensing & Public Protection Committee.

### **33 Functions and Delegations**

A table showing the delegation of functions within the Council can be found at Appendix G of the Gambling Commission Guidance:

<http://www.gamblingcommission.gov.uk/Licensing-authorities/Information-for-licensing-authorities/Guidance-to-licensing-authorities-5th-edition.aspx>





(see below for those whose term ends in 2021 and the number of vacancies in each district)



Name	Address
Tel. No. home	
Tel No office	
E-mail	Postcode
	Parish

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Signed (Nominee)	Parish/Town Council
Signed (Clerk)*	Date

**TO BE RETURNED BY EMAIL to SPCA: [spca.parish@staffordshire.gov.uk](mailto:spca.parish@staffordshire.gov.uk) by NO LATER THAN 15<sup>th</sup> October, 2021**

## Executive Members whose term will end in 2021

Cllr	Henryk	Adamczuk	Newcastle-under-Lyme
Cllr	John	Bernard	Cannock Chase
Cllr	Nigel	Caine	South Staffordshire
Cllr	Isabella	Davies	Stafford
Cllr	Mark	Green	Stafford
Cllr	David	Hawley	Staffordshire Moorlands
Cllr	Tony	Holmes	Staffordshire Moorlands (Vice-President)
Cllr	Ron	Kinnersley	Staffordshire Moorlands
Cllr	Jayne	Marks	Lichfield
Cllr	Enrique	Mateau	Stafford
Cllr	Anthony	Minshall	South Staffordshire
Cllr	Hugh	Montgomery	East Staffordshire
Cllr	Wayne	Rogers	Staffordshire Moorlands

### Representation per District

Cannock Chase	2
East Staffordshire	5
Lichfield	5
South Staffordshire	5
Stafford	7
Staffs Moorlands	6
Newcastle	2

### No of vacancies for nomination

Cannock Chase	1
East Staffordshire	2
Lichfield	3
South Staffordshire	3
Stafford	3
Staffs Moorlands	4
Newcastle	1

# STAFFORDSHIRE PARISH COUNCILS' ASSOCIATION

## 81st Annual General Meeting – 6<sup>th</sup> December 2021 at 7.00pm

Unless advised to the contrary the meeting will be held utilising 'Zoom'

### Motions for Debate

**To be emailed** to Staffordshire Parish Councils' Association,  
at [spca.parish@staffordshire.gov.uk](mailto:spca.parish@staffordshire.gov.uk) no later than 5<sup>th</sup> November 2021.

If your Council wishes any motion(s) to be put forward, then please complete the details below giving the name of the person/member/clerk, who will move the motion(s).

**Please note that they will be expected to 'attend' the AGM and speak.**

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.....Parish/Town Council wishes to propose the following motion(s) for debate at the Annual General Meeting of the Association on 6<sup>th</sup> December 2021 at 7.00pm

**Motion:**

**Proposer** ..... **Date**.....

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Your Council should find a council willing to second the motion and may wish to seek the support of the other Parish Councils in its District.

**Seconder** (*Parish/Town or Area Committee*)

..... **Date**.....

..... **Parish Council**

Date: 13/09/2021

Time: 11:42:35

## Stone Town Council - Payments

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The table below lists payments made by the Council in the period since the last report, for the Committee's information.

The table includes payments by cheque, direct debit, PayPal, telephone banking and online banking. It excludes salary and related payments, payments from the Mayor's Charity, and transfers between the Council's bank accounts, which can be seen by any Member on request. All amounts exclude VAT.

Payment Date From : 01/08/2021

Payment Date To : 31/08/2021

<u>Payment Date</u>	<u>Reference</u>	<u>Supplier</u>	<u>Description</u>	<u>Amount (£)</u>
14/08/2021	INV102262239	Zoom Video Comm Inc	Zoom Subscription Aug/Sep 2021	47.96
09/08/2021	SINV00516797	J G Fenn Ltd	Holiday Planner 2022	3.12
03/08/2021	SINV00516051	J G Fenn Ltd	Blue A4 Copier Paper	8.91
19/08/2021	164010907	World Pay	Worldpay Safer Payments / Dashboard Monthly Fee	9.99
19/08/2021	163864723	World Pay	Worldpay Managed Service Fee	12.50
17/08/2021	16094	Greenbarnes Ltd	Double sided noticeboard	3,542.14
26/08/2021	6367115	Water Logic	Water Cooler Rental July 2021	6.05
26/08/2021	6347799	Water Logic	Water Cooler Rental July 2021	5.50
03/08/2021	SINV00515385	J G Fenn Ltd	Diaries and Planners for 2022	16.31
20/08/2021	742962701/001/08	Virgin Media Business	Office leased lines / calls Jul / Aug 2021	54.43
24/08/2021	14390	Call Handling Services Ltd	Call Handlin Service - Stone Helpline Jul 2021	9.42
17/08/2021	050821	BMA Window Cleaner	Window Cleaning August 2021	65.00
17/08/2021	050821	BMA Window Cleaner	Window Cleaning August 2021	25.00
24/08/2021	743014903/001/08	Virgin Media Business	Broadband Aug / Sep 2021	50.00
31/08/2021	VEO1081893	Veolia ES (UK) Ltd	Waste Removal July2021	58.21
31/08/2021	VEO1081892	Veolia ES (UK) Ltd	Waste Removal July 2021	70.21
09/08/2021	INV05149700	Water Plus	Water Newcastle Rd Allots May to July 2021	28.92
26/08/2021	6367116	Water Logic	Cooler Rental - Main Offices Jul 2021	12.71

Date: 13/09/2021

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## Stone Town Council - Payments

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<u>Payment Date</u>	<u>Reference</u>	<u>Supplier</u>	<u>Description</u>	<u>Amount (£)</u>
04/08/2021	INV-0561	Current Electrical & Property Services	Marquee Set up July 2021	1,255.00
16/08/2021	991433080	British Gas	Elec Supply - Amphitheatre June & July 2021	20.63
17/08/2021	SI-152412	Mailing room	Franking Machine Annual Maint Contract to 25/09/22	176.40
25/08/2021	145262	Prism Solutions	Prism Monthly Service Charge Sep 2021	638.88
23/08/2021	713412021107587	Pozitive Energy	Gas Usage July 2021	44.56
23/08/2021	713392021107545	Pozitive Energy	Elec Usage July 2021	155.64
23/08/2021	713402021107587	Pozitive Energy	Gas Usage July 2021	31.79
23/08/2021	713382021107592	Pozitive Energy	Elec Usage July 2021	121.93
23/08/2021	0000155906	Canal & River Trust	Water Pipe in Towpath Newcastle Rd Annual Rent to	250.00
02/08/2021	66256	Prism Solutions	Line rental July 2021	46.69
02/08/2021	66256	Prism Solutions	Line rental July 2021	44.45
17/08/2021	032948	MEB Total Ltd	Call out to boiler leak - pressurizstion unit	81.72
18/08/2021	EU-01945190	Opayo by Elavon	Opayo Fee July 2021	15.00
06/08/2021	V01898153001	EE	Mobile Phone Charges Aug 2021	22.99
06/08/2021	V01898153001	EE	Mobile Phone Charges Aug 2021	21.53
06/08/2021	V01898153001	EE	Mobile Phone Charges Aug 2021	21.73
09/08/2021	1836232	British Gas	Elec Supply - Pillar 1 High Street	12.42
19/08/2021	INV-408745	AutoEntry	AutoEntry Monthly Sub Aug 2021	9.00
17/08/2021	508888594	Zurich Municipal	Heritage Centre - Insurance 01/06/21 to 31/05/22	784.00
11/08/2021	1842409	British Gas	Elec Supply - amended charges Nov 2019 to Jul 2021	6.74
03/08/2021	21518	West Midlands Employers	WM Employers - Corporate Mship Bronze 2021/22	500.00
03/08/2021	SBC Rates	Stafford Borough Council	SBC Rates Aug 2021 FJC`	434.00
03/08/2021	SBC Rates	Stafford Borough Council	SBC Rates Aug 2021 Station	225.00
03/08/2021	SBC Rates	Stafford Borough Council	SBC Rates Aug 2021 Mkt Sq	35.00
04/08/2021	DC Payment	Portal Plan Quest (the Planning Portal)	Online Planning Application - Christmas Lights 2021	231.00
04/08/2021	DC Payment	Portal Plan Quest (the Planning Portal)	Online Planning Application Service Fee Xmas Lights	23.33

Date: 13/09/2021

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## Stone Town Council - Payments

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<u>Payment Date</u>	<u>Reference</u>	<u>Supplier</u>	<u>Description</u>	<u>Amount (£)</u>
06/08/2021	Grant Payment	Florence Brass	Grant Award to Florence Brass	500.00
30/08/2021	DC Payment	Love Tablecloths	15 x tablecloths for Civic Events	154.02
24/08/2021	Donation	Oak Tree Farm Rural Project	Allotment Judging Fee 2021 donated to Oak Tree Farm	75.00
17/08/2021	IL/2178	Lowe & Elliott	Insurance Valuation - former Fire Station	200.00
				<u>10,164.83</u>