



Congleton Town Council

Historic market town

Town Clerk: **BRIAN HOGAN**



14th June, 2012

Dear Councillor,

Town Council Meeting – Thursday 21st June, 2012

You are summoned to attend a meeting of the Council, to be held in the Town Hall, Congleton on **Thursday 21st June, 2012 commencing at 7.00pm.**

The Public and Press are welcome to attend the meeting. There may be confidential items towards the end of the meeting which the law requires the Council to make a resolution to exclude the public and press.

Please note that there will be a meeting of the Personnel Committee commencing at 6.30pm on the same evening

Yours sincerely,

B. Hogan
TOWN CLERK

AGENDA

1. Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for non attendance).

2. Minutes

To approve the Minutes of the meeting held on 31st May, 2012. (enclosed)

3. Declarations of Interest

Members are requested to declare both "personal" and "personal and prejudicial" interests as early in the meeting as they become aware of it.



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Congleton Town Council, Town Hall, High Street, Congleton, Cheshire CW12 1BN

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Email: info@congletontowncouncil.co.uk www.congleton-tc.gov.uk



4. Mayor's Announcements

To receive any announcements by the Town Mayor and to receive a list of the Mayor's Engagements. (enclosed)

5. Outstanding Actions

None.

6. Questions from Members of the Public

To receive any questions from Members of the Public, notified in advance in writing.

7. Cheshire East Councillors' Reports

To suspend Standing Orders to allow Councillors from the principal authority to report on relevant issues and to receive questions from members.

8. Planning Committee

To receive the minutes of the meetings held on 3rd May, 24th May and 14th June 2012. (enclosed)

9. Community and Environment Committee

To receive the minutes of the meeting held on the 7th June, 2012. (enclosed)

10. Finance and Policy Committee

To receive the minutes of the meeting held on the 31st May, 2012. (enclosed)

11. Town Hall Committee

To receive the minutes of the meeting held on the 9th May, 2012. (enclosed)

12. Accounts

- (a) To approve payment of the accounts listed (enclosed).
- (b) To approve payment of any expenditure agreed at this meeting.

13. Urgent Items

Members may raise urgent items but no discussion or decisions may be taken at the meeting.

14. Youth Committee/Junior Council

- a) To receive the minutes of the Youth Committee meeting held on 1st May and 29th May 2012, (enclosed)
- b) To deal with Questions from Members of the Youth Committee present at the meeting.

15. Resignation of Councillor

To receive the resignation of Cllr David Fletcher.

16. Honorary Burgess

To receive and consider a proposal to invite Mr Ernest Clarke to become a Honorary Burgess. (enclosed)

17. Code of Conduct

To receive an update from the Town Clerk on the New Code of Conduct and advice from the Society of Local Council Clerks. (enclosed)

18. Resolution to exclude the Public and Press (if necessary)

To consider passing a resolution in accordance with the Public Bodies (Admission to Meetings) Act 1960, that public and press be excluded from the meeting for the matters set out below on the grounds that it could involve the likely disclosure of private and confidential information or staff matters.

To: Members of the Town Council, Press 3, Burgesses (4), Mayor's Chaplain,
Members of the Youth Committee
MP, Cheshire East Councillors (4), Library, Congleton TIC.

Congleton Town Council

Minutes of the Special Meeting of the Council held on Thursday,
31st May, 2012 in the Town Hall, Congleton.

PRESENT: Councillors Mrs S A Holland (Mayor)
 Mrs D S Allen
 L D Barker
 G Baxendale
 R I Brightwell
 J S Crowther
 G R Edwards
 G P Hayes
 M J Hutton
 A M Martin
 Mrs J D Parry
 D Parker
 D Murphy
 G Williams
 Miss R K Williams

1. Apologies for absence. (Members are respectfully reminded of the necessity to submit any apology for absence in advance and to give a reason for nonattendance).

Apologies for absence were received from Councillors D T Brown, NT Price and Mrs E Wardlaw

2. Minutes

CTC/9/1213 RESOLVED: That the Minutes of the Annual Meeting of the Town Council held on 10th May, 2012, be approved and signed by the Mayor.

3. Declarations of Interest

Members are requested to declare both "personal" and "personal and prejudicial" interests as early in the meeting as they become aware of it.

There were no declarations of interest.

4. East Ward Casual Vacancy for Councillor

A report was presented on the process and procedure used to co-opt a councillor to fill the vacancy in East Ward which was then considered by the Council

CTC/10/1213 RESOLVED: That Mr. Paul Bates be appointed to fill the casual vacancy of Councillor for the East Ward until the date of the next ordinary elections for the Town Council in 2015.

5. Annual Report

The Annual Report for 2011-12 was presented to the Council for approval

CTC/11/1213 RESOLVED: That the Annual Report be approved and thanks noted to the service that the new councillors are providing to the residents of Congleton.

6. Annual Return, Annual Governance Statement and Annual Accounts 2011-12

The Annual Governance Statement and Annual Accounts for the year ended 31st March 2012 were presented to the Council for scrutiny and approval.

CTC/12/1213 RESOLVED:-That

- I. The Annual Governance Statement for 2011-12 be approved
- II. That the Annual Accounts for the year ended 31st March 2012 be approved

7. Resolution to exclude the Public and Press (if necessary)

There was no resolution to exclude the public and press.

Mrs S A Holland

TOWN MAYOR

TOWN MAYOR'S ENGAGEMENTS

2012

11 th May	Congleton Amateur Youth Theatre
13 th May	Mayor's Civic Service and Parade – St. Peter's Church
16 th May	Cheshire East Mayor Making Ceremony – Tatton Park
28 th March	Trinity Amateur Operatic Society – Daneside Theatre
30 th March	Nursery Easter Service - New Life Church
30 th March	East Cheshire Chamber of Commerce Business Awards
31 st March	Congleton Youth Orchestra Concert – Town Hall
6 th April	Good Friday Easter Service in the Town Centre
21 st May	Middlewich Mayor Making Ceremony
24 th May	Macclesfield Charter Trustees – Mayor Making Ceremony
25 th May	Foden Brass Band Concert – Congleton Town Hall
26 th May	Congleton Rovers Presentation Event
29 th May	Junior Council – Town Hall
31 st May	Olympic Torch Relay – New Life Church
3 rd June	Jubilee Service – St Peter's Church
3 rd June	Sandbach Civic Service
4 th June	Jubilee Celebrations – Congleton Park
10 th June	It's A Knockout – Congleton Park
12 th June	South Cheshire Floral Society
17 th June	Food Festival
20 th June	Rotary Club – Young Chef/Designer Competition

DEPUTY TOWN MAYOR

18 th May	Vale Junior's Presentation Evening – Town Hall
19 th May	Astbury May Day
19 th May	Vale Junior's Presentation Evening

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 3rd MAY 2012

PRESENT Councillor L. D. Barker (Chairman)
R. I. Brightwell
D. T. Brown
G. R. Edwards
D Fletcher
G. P. Hayes
Mrs A M Martin
D A Parker
Mrs. J. D. Parry
Mrs. E. Wardlaw

1. **APOLOGIES**

Apologies for absence were submitted from Councillors G Baxendale, J. S. Crowther, Mrs. S. A. Holland, M.J. Hutton, D. Murphy, N. T. Price, G.S. Williams and Miss R.K. Williams

2. **MINUTES**

PLN/37/1112 RESOLVED: That the Minutes of the Meeting of the Committee held on 5th April 2012 be approved and signed by the Chairman as a correct record.

3. **DECLARATIONS OF INTEREST**

Members were reminded to declare both "personal" and "personal and prejudicial" interests as early in the meeting as they become known.

Councillor D. T. Brown declared a personal interest due to being a member of Cheshire East Council.

Councillor D. T. Brown also declared a personal interest because of his membership of the Cheshire East Council Strategic Planning Board.

Councillor Mrs. Martin declared at personal and prejudicial interest in application number 12/1282C – Danesford Community Centre, West Road, Congleton.

4. **OUTSTANDING ITEMS**

There were none

5. **PLANNING APPLICATIONS**

PLN/38/1112 RECOMMENDED: That the following comments be made to East Cheshire Borough Council:

Week ended 13th April 2012

12/1211C Bridestones Shopping Centre, Victoria Street, Congleton **WITH GREAT RELUCTANCE NO OBJECTIONS WERE RAISED TO THESE AMENDED PLANS**
Councillor D. T. Brown abstained from the Vote.

PLN/39/1112 RESOLVED - That due to time restrictions on this meeting that applications for residential extensions be approved and delegated authority be given to the Chairman, Vice Chairman and Town Clerk to determine the other applications.

12/1137C	3 Telford Close, Congleton, CW12 3TR	NO OBJECTION
12/1190C	Former Durham Ox, 54 West Street, Congleton, CW12	NO OBJECTION

Week ended 20th April 2012

12/1206C	30 Laburnum Close, Congleton, CW12 4TX	NO OBJECTION
12/1221C	24 Priory Close, Congleton, CW12 3JL	NO OBJECTION
12/1245C	Unit C Congleton Retail Park, Barn Road, Congleton	NO OBJECTION
12/1247C	Associated Tyre Specialists, Brookside, Congleton	NO OBJECTION
12/1251C	Boundary Villa Farm, 4 Boundary Lane, Congleton	NO OBJECTION
12/1252C	10 Higginson Close, Congleton, CW12 3SU	NO OBJECTION
12/1282C	Danesford Community Centre, West Road, Congleton	NO OBJECTION

Week ended 27th April 2012

12/1313C	5 Keswick Court, Congleton, CW12 4JH	NO OBJECTION
12/1336C	3 Chestnut Drive, Congleton, CW12 4UB	NO OBJECTION
12/1339C	26 Falmouth Road, Congleton, CW12 3BH	NO OBJECTION
12/1347C	4 Doreen Avenue, Congleton, CW12 3JE	NO OBJECTION
12/1356C	196 Biddulph Road, Congleton, CW12 3LS	NO OBJECTION
12/1368C	89 Waggs Road, Congleton, CW12 4BT	NO OBJECTION
12/1433C	St. Johns Vicarage, Buxton Road, Congleton, CW12	DEFERRED
12/1443C	17 Ayrshire Way, Congleton, CW12 3TN	NO OBJECTION

6. PLANNING APPEALS

It was reported that the following appeal has been received

11/4566C – APP/R0660/A/12/2173092/NWF – Former Durham Ox, 54 West Street, Congleton

7. LICENSING APPLICATIONS

None to report.

8. HIGHWAYS ISSUES

None to report.

9. ANY OTHER BUSINESS

It was reported that the following information had been received from Cheshire East Council - Revised Interim Planning Policy for the Release of Housing Land Consultation (1st May to 29th May 2012).

A discussion took place regarding concerns as to the importance given to Planning Committee decisions at Cheshire East and it was

PLN/40/1112 RESOLVED – To request the Town Clerk to convene a meeting to discuss this issue. Also to be included on the agenda is deferred application 12/1433C.

L. D. Barker (Chairman)

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 24th MAY 2012

PRESENT Councillor L. D. Barker (Chairman)
Mrs. D. Allen
G. Baxendale
J. S. Crowther
G. R. Edwards
D Fletcher
G. P. Hayes
Mrs A M Martin
D. Murphy
D. A. Parker
Mrs. J. D. Parry
N. T. Price

1. **APOLOGIES**

Apologies for absence were submitted from Councillors R. I. Brightwell, D. T. Brown, Mrs. S. A. Holland, M.J. Hutton, Mrs. E. Wardlaw, G.S. Williams and Miss R. K. Williams.

2. **MINUTES**

PLN/1/1213 RESOLVED: That the Minutes of the Meeting of the Committee held on 3rd May 2012 be approved and signed by the Chairman as a correct record.

3. **DECLARATIONS OF INTEREST**

Members were reminded to declare both "personal" and "personal and prejudicial" interests as early in the meeting as they become known.

Councillor G. Baxendale declared a personal interest due to being a member of Cheshire East Council.

4. **OUTSTANDING ITEMS**

There were none

5. **PLANNING APPLICATIONS**

PLN/2/1213 RECOMMENDED: That the following comments be made to East Cheshire Borough Council:

PLN/3/1213 RESOLVED: That the Town Council officers examine all planning applications for extensions in detail identifying items that require further detailed consideration by the Planning Committee and highlighting those that can be recommended with less scrutiny.

Deferred Application

12/1433C St. John's Vicarage, Buxton Road, Congleton, CW12 2DT **NO OBJECTION**
SUBJECT TO THE FOLLOWING BEING GIVEN CONSIDERATION

1. Highway safety – severe concerns were expressed regarding the entrance onto the main road.
2. Over development of the site.
3. Several objections had been received from local residents.

Week ended 4th May 2012

12/1443C 17 Ayrshire Way, Congleton, CW12 3TN **NO OBJECTION**
Councillor D. Fletcher declared a personal interest in application 12/1443C
12/1449C Crossley Hall, Peover Lane, Congleton, CW12 3QH **NO OBJECTION**

Subsequent Weeks

12/1634C 21 Foster Road, Congleton, CW12 3BN **NO OBJECTION**
12/1646C 17 Leek Road, Congleton, CW12 3HU **NO OBJECTION**
12/1618C 14 Doreen Avenue, Congleton **NO OBJECTION**
12/1286C 82 Park Lane, Congleton, CW12 3DD **NO OBJECTION**
Councillor G. P. Hayes declared a personal interest in application 12/1286C
12/1537C 36 Rood Hill, Congleton, CW12 1LQ **NO OBJECTION**
12/1623T Dane Bridge/Mill Green, Congleton, CW12 **NO OBJECTION**
Subject to usual conditions
12/1564T Trinity Court, Hulton Close, Congleton **NO OBJECTION**
Subject to usual conditions
12/1664C 1 Ambleside Court, Congleton, CW12 4HZ **NO OBJECTION**
12/1754C 27 Leek Road, Congleton, CW12 3HU **NO OBJECTION**
12/1688C Land Rear of 74 Lawton Street, Congleton, CW12 1RS **NO OBJECTION**

6. PLANNING APPEALS

It was reported that the following appeal has been received

7. LICENSING APPLICATIONS

None to report.

8. HIGHWAYS ISSUES

None to report.

9. CONSULTATION ON APPLICATIONS RELATING TO TREE PRESERVATION ORDERS

Correspondence from Cheshire East Council regarding the above was noted.

10. REVISED INTERIM PLANNING POLICY

A report by the Town Clerk dated 24th May 2012 was considered and a discussion took place regarding the Revised Interim Planning Policy – Release of Housing Land and it was

PLN/4/1213 RESOLVED: To approve the Revised Interim Planning Policy.

11. **ANY OTHER BUSINESS**

Councillor Parry stated that she had noted two applications on the Cheshire East Website which had not been considered at a Town Council meeting. These may have been minor items but it was agreed that the situation would be monitored.

L. D. Barker (Chairman)

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 14th JUNE 2012

PRESENT Councillor L. D. Barker (Chairman)
Mrs. D. Allen
P. Bates
G. Baxendale
R. I. Brightwell
J. S. Crowther
G. R. Edwards
G. P. Hayes
Mrs. S. A. Holland
Mrs A M Martin
D. Murphy
Mrs. J. D. Parry
N. T. Price

1. **APOLOGIES**

Apologies for absence were submitted from Councillors D. T. Brown, D. A. Parker, Mrs. E. Wardlaw, G.S. Williams and Miss R. K. Williams.

2. **MINUTES**

PLN/5/1213 RESOLVED: That the Minutes of the Meeting of the Committee held on 24th May 2012 be approved and signed by the Chairman as a correct record.

3. **DECLARATIONS OF INTEREST**

Members were reminded to declare both "personal" and "personal and prejudicial" interests as early in the meeting as they become known.

Councillor G. Baxendale declared a personal interest due to being a member of Cheshire East Council.

4. **OUTSTANDING ITEMS**

There were none

5. **PLANNING APPLICATIONS**

PLN/6/1213 RECOMMENDED: That the following comments be made to East Cheshire Borough Council:

Week ended 1st June 2012

12/1854C	8 Mallory Court, Congleton, CW12 4NW	NO OBJECTION
12/1928C	Congleton Railway Station, Park Lane, Congleton, CW12	NO OBJECTION
12/1843C	30 Fields Road, Congleton, CW12 3BB	NO OBJECTION

Subsequent Weeks

12/1917C	Land Rear of 7 Nursery Lane, Congleton, CW12 3EX	NO OBJECTION
Councillor G. P. Hayes declared a personal interest in application 12/1917C		
12/1931C	29 Boundary Lane, Congleton, CW12 3JA	NO OBJECTION
12/1870T	Rear of 8 Melton Close, Congleton, CW12 4YH	NO OBJECTION
		Subject to usual conditions

6. PLANNING APPEALS

None to report.

7. LICENSING APPLICATIONS

None to report.

8. HIGHWAYS ISSUES

None to report.

9. ANY OTHER BUSINESS

Councillors expressed concern regarding future road closures on Canal Road due to essential maintenance work. The Town Council Officers are requested to communicate with Cheshire East Council to ensure that disruption is kept to an absolute minimum.

L. D. Barker (Chairman)

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE COMMUNITY, ENVIRONMENT AND SERVICES COMMITTEE HELD ON THURSDAY, 7TH JUNE, 2012

PRESENT: Councillors G S Williams (Vice-Chairman in the Chair)
 Mrs D S Allen
 P Bates
 G R Edwards
 G P Hayes
 Mrs S A Holland
 Mrs A M Martin
 D Murphy
 Mrs J D Parry
 N T Price

1. APOLOGIES.

Apologies for absence were received from Cllrs D Brown, J S Crowther, M J Hutton and Miss R K Williams. Apologies were also received from Cllr L D Barker who is not a member of this particular committee.

2. MINUTES

CES/01/1213 RESOLVED that the minutes of the meeting held on the 22nd March 2012 be confirmed as a correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST

Members are requested to declare both "personal" and "personal and prejudicial" interests as early in the meeting as they become known.

Councillor D Murphy declared a personal interest in item 7.

4. OUTSTANDING ACTIONS

CAE/41/1011

A feasibility report on a possible project be developed for a shelter in Congleton Park. The Youth Committee to be consulted on this project.

CAE/40/1112

A report on the Boat on the River Dane noted that a group of local businessmen had offered to remove the boat at no cost.

Councillor G Baxendale to contact the planners at CEBC to ascertain what can be done about the Weavers Cottage's.

Councillor Mrs A Martin to contact the local businessman to identify the status of the offer to have the boat removed.

Mrs Williamson to discuss the notion of a "Smartest Shop Project" with the Partnership and LAP.

CES/02/1213

The Town Council to pursue all options available in order to resolve the problem of the Boat, Including S215 enforcement via CEBC, in addition, the Clerk to contact McCarthy and Stone to elicit their assistance in the matter.

5. COMMUNITY PAYBACK SCHEME

Correspondence from Cllr Paul Bates on the Community Payback Scheme was considered by the committee and it was noted that both the local police and councillors considered that there were opportunities to utilise the scheme in Congleton on appropriate works.

CES/03/1213 RESOLVED that Cllrs P Bates and G Williams determine how to move the matter forward and report back to the next committee meeting.

6. PUBLIC TRANSPORT CONSULTATION

The Cheshire East Public Transport Consultation document was discussed by the members and some concern was expressed at the lack of public awareness of the consultation.

CES/04/1213 RESOLVED that:-

- I. The consultation document to be placed on the Town Council website.
- II. Cllrs P Bates, G Hayes, N Price and G Williams be delegated to complete the consultation questionnaire on behalf of the Committee.

7. HEALTH WATCH

Correspondence and a questionnaire from Cheshire East Borough Council relating to Healthwatch England, part of the CQC (Care Quality Commission, and Local Healthwatch) which will be established in October 2012 as part of the implementation of the Health and Social Care Act 2012 was considered.

CES/05/1213 RESOLVED that:-

- I. Cllr D Murphy to provide an update on Health Watch at the next Committee meeting.
- II. The consultation document to be placed on the Town Council website.

8. RESOLUTION TO EXCLUDE THE PRESS AND PUBLIC

There was no resolution to exclude the press and public.

9. CHESHIRE POLICE

It was noted that there was no member of the Cheshire Police present, but, the police will be contacted to request that they send an officer to attend future Committee meetings.

G Williams

Vice Chairman (In the Chair)

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE FINANCE AND POLICY COMMITTEE HELD ON THURSDAY, 31ST MAY, 2012

<u>PRESENT</u>	Councillors	G R Edwards (Chairman) Mrs D S Allen L D Barker G Baxendale R I Brightwell G P Hayes Mrs S A Holland Mrs A M Martin D Murphy D A Parker Mrs J D Parry
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1. APOLOGIES

Apologies for absence were received from Councillors D T Brown and N T Price and Mrs E Wardlaw who is non member of this particular committee.

2. MINUTES

FAP/01/1213 RESOLVED: That the Minutes of the Meeting of the Committee held on 29th March, 2012 be agreed and signed by the Chairman.

3. DECLARATIONS OF INTEREST

Members are requested to declare both "personal" and "personal and prejudicial" interests as early in the meeting as they become known.

Cllrs D A Parker and G P Hayes declared a personal interest in item 7 i.

Cllrs G Baxendale, D Murphy and D A Parker declared a personal interest in item 8.

4. OUTSTANDING ACTIONS

There are no outstanding actions.

5. NOTES OF STRATEGY WORKING GROUP

FAP/02/1213 RESOLVED: That the notes of the Strategy Working Group meetings held on the 24th April and 17th May, 2012 be approved and signed by the Chairman.

6. GRANTS APPROVALS AND COMMITMENTS 2011/12

A summary of grant approvals and commitments was considered by the committee and it was noted that £19,350 is available for grants.

FAP/03/1213 RESOLVED: That the grant summary be received.

7. NEW APPLICATIONS FOR FINANCIAL ASSISTANCE

FAP/04/1213 RESOLVED That:

- i) **Buglawton Community Group**
That a grant of £500 be awarded.
- ii) **Congleton Disabled Access Group – Congleton Independent Living Centre**
To be deferred to the next meeting, the Clerk to seek further clarification on the application for a grant.
- iii) **Congleton Disabled Access Group – Disability Access Audits**
To be deferred to the next meeting.
- iv) **St Peter's Churchyard**
That a grant of £650 be approved to pay for one cut. The Clerk to write to Cheshire East Council to recoup this cost.
- v) **Congleton Museum Trust**
That a grant of £250 be approved.
- vi) **Congleton Harriers**
That a grant of £250 be approved on the proviso that if there are surplus funds being donated to charity, the Town Council has the opportunity to select which charity £250 is being donated to.

8. CONGLETON COMMUNITY PROJECTS

The committee considered a request from Congleton Community Projects to cease paying rent on the room the Town Council provides.

FAP/05/1213 RESOLVED That:

- 1. That Congleton Community Projects be provided with a room rent free.
- 2. That Community Projects be asked to move to the office at the rear of the Town Hall.

9. SEARCH AND RESCUE DOG

A letter from the National Search and Rescue Dog Association be considered by the committee.

FAP/06/1213 RESOLVED: That the request for a grant be refused.

10. LETTERS OF THANKS

The letter of thanks from the Sol Theatre School was received and noted.

11. ANNUAL RETURN, ANNUAL GOVERNANCE STATEMENT AND ANNUAL ACCOUNTS 2011-12

- a. The Annual Governance statement for the year ended 31st March 2012 was presented to the committee for consideration.

FAP/07/1213 RESOLVED: That the Annual Governance Statement for the year ended 31st March 2012 be received and approved.

- b. The Annual Accounts for 2011-12 were considered by members.

FAP/08/1213 RESOLVED: That the Annual Accounts for 2011-12 be approved.

12. INSURANCE REVIEW

The Insurance Schedule for 2012-13 which sets out the insurance terms and policy schedule for the next 12 months was considered.

FAP/09/1213 RESOLVED: That the Insurance Schedule for 2012-13 be approved.

13. INTERNAL AUDIT REPORT

The Internal Audit Report 2011-12 produced by Auditing Solutions Ltd was presented to the committee. It was noted that there was one recommendation made by the Auditor which had already been actioned.

FAP/10/1213 RESOLVED: That the Internal Audit Report and accompanying recommendation be received.

14. APPOINTMENT OF EXTERNAL AUDITOR

Correspondence from the Audit Commission confirming that BDO LLP will audit the Annual Return of Congleton Town Council for 5 years from 2012-13.

FAP/11/1213 RESOLVED: That the correspondence be received and noted.

15. CHEQUE SIGNATORIES

FAP/12/1213 RESOLVED: That the addition of Councillor D Murphy as a cheque signatory be approved.

16. ASSET REGISTER

The Asset Register & Inventory which sets out all of the various assets owned by the Town Council was presented for scrutiny by the members.

FAP/13/1213 RESOLVED: That the Asset Register be received and approved.

17. RESOLUTION TO EXCLUDE THE PUBLIC AND PRESS

There was no resolution to exclude the press and public.

G R Edwards
Chairman

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE TOWN HALL COMMITTEE HELD ON WEDNESDAY, 9TH MAY, 2012

PRESENT: Councillors D A Parker (Chairman in the Chair)
 G R Edwards
 G P Hayes
 Mrs A M Martin
 N Price

1. APOLOGIES

Apologies for absence were received from Councillors M J Hutton & Mrs E Wardlaw.

2. MINUTES

THC/24/1112/RESOLVED- That the minutes of the Meeting held on 15th March, 2012 be approved and signed by the Chairman as a correct record.

3. DECLARATIONS OF INTEREST

Members are requested to declare both "personal" and "personal and preudcial" interests as early in the meeting as they become known.

There were no declarations of interest.

4. OUTSTANDING ACTIONS

THC/17/1112 A report on the first Wedding Fayre held in the Town Hall on the 4th March, 2012 was considered by the committee. It was noted that the event was very successful and will be held again in October of this year.

THC/19/1112 It has been suggested that De Lacey's and the Town Council should hold a familiarisation Town Hall awareness day whereby local businesses and organisations are invited in to view the facilities and catering options. To be held in partnership with De Lacey's in early July 2012.

5. KITCHEN AND BAR EXTENSION

A report produced by the Architectural Consultant on proposals to extend the kitchen and Bar was considered along with relevant plans for the project and recommendations on the tender process.

THC/25/1112 RESOLVED-

1. That the report be received and recommendations on extending the bar and kitchen be approved.

2. To approve acceptance of the lowest quotation for the supply of the catering and bar equipment amounting to £10,096 and building work at a cost of £28,111

6. RESOLUTION TO EXCLUDE THE PUBLIC AND PRESS (IF NECESSARY)

There was no resolution to exclude the press and public

D A PARKER
(CHAIRMAN IN THE CHAIR)

Congleton Town Council

RBS Current/I Access Acct

List of Payments made between 01/04/2012 and 31/05/2012

<u>Date Paid</u>	<u>Payee Name</u>	<u>Cheque Ref</u>	<u>Amount Paid</u>	<u>Transaction Detail</u>
02/04/2012	PWBL	DD	£10,889	PWBL (2011/12 2nd Payment)
02/04/2012	Wirehouse Employer Services	DD	£102	Wirehouse HR support
02/04/2012	CEast	DD	£2,105	Town Hall Business rates
02/04/2012	Shell UK Ltd	shell	£97	S03645755/3093/Diesel for van
02/04/2012	United Utilities	dd	£331	010412/3118/United Utilities
05/04/2012	Tennysen Insurance Ltd	005375	£297	050412/3117/Partnership Insura
09/04/2012	Rotary Club of Congleton	005376	£40	003/3023/Advert in Youth Orch
09/04/2012	David Austin Roses Ltd	005378	£231	GDSI002779/3085/Roses
09/04/2012	Cheshire East Council	005379	£70	41034078/3086/prem licence fee
09/04/2012	Heads (Congleton) Limited	005380	£243	70475/3087/Town Hall Ad
09/04/2012	Congleton Office Supplies Ltd	005381	£159	SINV00063539/3088/flip chart
09/04/2012	Gaffey Technical Services Ltd	005382	£757	45415/3089/serv contract pool
09/04/2012	JAF Graphics	005383	£131	16836/3090/pop up banner
09/04/2012	The Leaflet Team	005384	£368	CTC0011/3091/Dist of B Necc
09/04/2012	The Stationery Cupboard	005385	£279	0081/3094/The Stationery Cupbo
09/04/2012	Travis Perkins Trading Company	005386	£26	3640ACA969/3095/WD40 etc
09/04/2012	Cong Chronicle	005377	£45	Bal of Streets of Patt grant
10/04/2012	Fellowship House Float	005387	£100	Fellowship House Float
13/04/2012	Angel Springs	005388	£52	1438092/3097/Angel Springs
16/04/2012	T & S Electrical Limited	005389	£1,369	7412/3098/Elec works B.Suite
16/04/2012	Base I.T	005391	£20	128EVG/3100/Shopwatch online
16/04/2012	Wirehouse Employer Services	DD	£102	Wirehouse H&S support
16/04/2012	CEast CAB	005390	£15,000	Grant to C east CAB
16/04/2012	Petty cash	005392	£173	Petty cash
17/04/2012	True Traders Ltd	005393	£1,040	2513/3081/Crowd cont barriers
17/04/2012	Rendezvous Distribution Ltd	005394	£1,380	00159/3114/bear necess
18/04/2012	West Mercia Supplies	DD	£1,748	2381050/3072/WMS Gas
18/04/2012	West Mercia Supplies	dd	£41	2381074/3073/WMS Gas
19/04/2012	Wirehouse Employer Services	DD	£154	Wirehouse HR support
19/04/2012	Salaries April 2012	AUTOPAY	£21,627	Salaries April 2012
20/04/2012	Otis Ltd	005395	£434	01012971/3112/Lifts maintenanc
23/04/2012	Shell UK Ltd	shell	£92	S03662647/3120/Shell UK Ltd
24/04/2012	Canda Copying Ltd	005397	£902	295877/3102/Canda Copying Ltd
24/04/2012	Cannon	005398	£83	CN18026816/3103/clinical waste
24/04/2012	Cheshire Association of Local	005399	£1,230	020412/3105/Affiliation fee
24/04/2012	Heads (Congleton) Limited	005403	£124	70865/3109/Cas vacancy advert
24/04/2012	Handwaving Flags.com	005404	£604	10792/3110/Bunting
24/04/2012	JAF Graphics	005405	£280	16875/3111/xmas signage
24/04/2012	Society of Local Council Clerk	005407	£313	109088/3115/BH Conferences
24/04/2012	Vibrant Graphics Ltd	005408	£658	024806/3119/Bear Nec printing
24/04/2012	Cheshire Community Action	005400	£100	240412B/3127/Cheshire Communit
24/04/2012	County Playing Fields Associat	005401	£20	240412A/3126/County Playing Fi
25/04/2012	Congleton Beartown Ltd	005409	£72	B062/3108/Ecc Awards ticket
25/04/2012	Transfer to Direct Reserve	XFER	£300,000	Transfer to Direct Reserve
25/04/2012	Prism Bus Developments	DD	£265	IT Support April 2012
30/04/2012	Plus Dane	DD	£36	allotment garage rental
30/04/2012	Sita UK Ltd	dd	£137	26524727/2500/Sita UK Ltd
01/05/2012	CEast Business Rates	DD	£2,107	CEast Business Rates
01/05/2012	YC Trip to London	005410	£331	YC Trip to London
02/05/2012	Cheshire Electrical Supplies L	005411	£108	C1642787/3128/Bulbs for G Hall
02/05/2012	Heads (Congleton) Limited	005412	£52	71098/3129/Town meeting Advert
02/05/2012	Gartec Limited	005413	£336	75103/3130/Disables Acc lift
02/05/2012	Global Hygiene LLP	005414	£532	1341843/3131/cleaning products
02/05/2012	Lancaster Printing	005415	£135	10455/3132/handwaving flags
02/05/2012	Posh Nosh Parties Ltd	005416	£236	001/3134/Catering supplies
02/05/2012	Talke Chemical Company Limited	005417	£26	61805/3135/Handyman Equipment
02/05/2012	Threadfast Engineers Ltd	005418	£18	SIN067682/3137/Bolts for bench
04/05/2012	Vibrant Graphics Ltd	005419	£236	024796/3138/Bear Necessities
08/05/2012	John Lewis	005420	£130	Gift retiring member
10/05/2012	Limelight Signs Ltd	005422	£1,762	52216/3139/cycle way lights

10/05/2012	T & S Electrical Limited	005423	£135	7506/3142/intercom repairs
10/05/2012	Accounting Solutions from DCK	005424	£1,087	TPC4673/3143/Year End accounts prep
10/05/2012	WRT Group Plc	005425	£217	080512/3144/Town Hall Advertis
10/05/2012	Congleton Community Projects	005421	£12,933	Congleton Community Projects
11/05/2012	Pitney Bowes Finance PLC	DD	£265	Franking machine rental
11/05/2012	Purchase Power	dd	£213	AF137096/3133/Postage
14/05/2012	Information Commissioner	DD	£35	Data Protection Fee
14/05/2012	Wirehouse Employer Services	DD	£102	HR Support
15/05/2012	Allied Catering Equipment	005426	£268	14493/3145/Dishwasher repairs
15/05/2012	Auditing Solutions Ltd	005427	£468	A2790/3147/internal audit
15/05/2012	Blitz Fireworks Ltd	005428	£420	020512/3148/jubilee beacon
15/05/2012	Broken Cross Paint & Wallpaper	005429	£28	18092/3149/Piant - Hall Maint
15/05/2012	Congleton Beartown Ltd	005430	£120	B064/3150/Awards ticket
15/05/2012	Congleton Plumbing and Heating	005431	£232	0108551/3151/jubilee decs
15/05/2012	Heads (Congleton) Limited	005432	£108	71473/3152/flag making advert
15/05/2012	Four Oaks Nurseries Ltd	005433	£382	45949/3153/pots & compost
15/05/2012	K G Loach	005434	£68	16889/3156/Weedkiller
15/05/2012	Phonographic Performance Ltd	005435	£951	1638035/3157/PPL Licence
15/05/2012	Prism Business Developments Li	005436	£102	3637/3158/Printer Cartridge
15/05/2012	The Stationery Cupboard	005438	£83	0084/3160/The Stationery Cupbo
15/05/2012	Zurich Municiple	005439	£14,430	4278/3161/Zurich Municiple
15/05/2012	Angel Springs	005440	£55	1466102/3146/Angel Springs
15/05/2012	Shent Events Marquee Hire	005437	£400	1281/3162/Shent Events Marquee
18/05/2012	reimburse petty cash	005441	£198	reimburse petty cash
21/05/2012	Wirehouse Employer Services	DD	£154	Health & Safety support
22/05/2012	Heads (Congleton) Limited	005442	£108	71603/3163/Torch relay ad
22/05/2012	Creative Marketing	005443	£168	399/3164/Congleton banners
22/05/2012	Direct Fundraising	005444	£120	4162/3165/collection buckets
22/05/2012	Four Oaks Nurseries Ltd	005446	£458	123033/3167/school planters
22/05/2012	K G Loach	005447	£69	16911/3170/Fertiliser
22/05/2012	Rode Hall Silver Band	005448	£200	150512/3171/Civic Parade
22/05/2012	Chris Rolley Associates	005449	£1,250	160512/3172/Job Evaluation
22/05/2012	P&V Newton & Sons Ltd	005450	£33	05661/3173/J Whitehurst award
22/05/2012	Skyblue Leisure Co Ltd	005451	£210	0009670/3174/Flags/banners
22/05/2012	Trafford Trading Company Ltd	005452	£90	8869/3175/Comm Garden Set-up
22/05/2012	T & S Electrical Limited	005453	£732	7528/3176/CPJ new office setup
22/05/2012	Travis Perkins Trading Company	005454	£8	3640ACC329/3177/Travis Perkins
22/05/2012	Shell UK Ltd	dD	£201	S03697174/3159/Shell UK Ltd
22/05/2012	Payroll May 2012	AUTOPAY	£21,885	Payroll May 2012
24/05/2012	Cong Harriers Grant	005455	£200	Cong Harriers Grant
24/05/2012	Mayor's Allowance	005456	£2,600	Mayor's Allowance
24/05/2012	Deputy Mayor's Allowance	005457	£260	Deputy Mayor's Allowance
25/05/2012	RBS autopay chgs	DD	£4	RBS autopay chgs
25/05/2012	Prism Bus Developments	DD	£261	IT Support May 2012
28/05/2012	Amberol Ltd	005460	£856	9896/3178/comm bench D March
28/05/2012	Archant Life Ltd	005461	£660	53530711/3179/Cheshire Life Ad
28/05/2012	Cheshire Association of Local	005462	£300	002067/3180/counc training
28/05/2012	Heads (Congleton) Limited	005463	£43	71718/3181/Spring clean advert
28/05/2012	Congleton Learning Partnership	005464	£720	831/3182/training for unemploy
28/05/2012	Four Oaks Nurseries Ltd	005465	£3,687	160512/3183/Jubilee bed plants
28/05/2012	Maxigiene Enviromental Service	005466	£45	14549C/3185/Legionella Monitor
28/05/2012	United Utilities	005467	£514	220512/3186/Town Hall Water
28/05/2012	Whitehursts Agricultural & Bui	005468	£88	63593/3187/Farm Gate
28/05/2012	Plus Dane	DD	£36	Garage rent allotment
28/05/2012	West Mercia Supplies	DD	£6,154	2385868/3096/Electricity chges
28/05/2012	Grant Trinity Methodist Church	005458	£250	Grant Trinity Methodist Church
31/05/2012	Sita UK Ltd	dd	£202	28192631/3140/Waste Bins

Total Payments £446,196

Congleton Town Council

Minutes of the meeting of the Youth Committee held on Tuesday, 1st May 2012 in the Town Hall, Congleton

PRESENT Youth Councillor Jon Foster (Chairman)
Hannah Booth
Beth Evans
Maddy Summerfield
Ellen Wilkinson
Nathan Davies
Catherine Hassall

Councillors Liz Wardlaw
George Hayes

Mrs. Linda Minshull

1. APOLOGIES

Apologies were received from Alex Rushton, Maddy Summerfield and Jack Schofield.

2. MINUTES OF LAST MEETING

RESOLVED – That the Minutes of the Meeting of the Committee held on 27th March 2012 were signed by the Chairman as a correct record.

3. VISIT TO LONDON AND UPDATE ON THE YOUNG PERSON'S REPORT

The Chairman read out a letter dated 25th April received from Fiona Bruce M.P. commending the Youth Committee on their excellent Young Person's Report. Fiona stated that she found the presentations impressive and the subsequent discussions very positive and will be arranging meetings to take forward the actions.

A discussion took place regarding distribution of the report and it was agreed that Liz would work with Cathy to draft a letter. Jon, Maddy and Matt will meet to discuss progressing this item. It was agreed to aim to organise a Question Time event in September.

4. IT'S A KNOCKOUT

It was agreed that Jon would send the names of participants to Jackie MacArthur.

5. **YOUTH COMMITTEE BANK ACCOUNT**

It was reported that after the monies from the coffee morning had been paid in, the balance stands at £685.21 as at 24th April 2012. There is still the invoice to be paid for the Library booking.

A discussion took place regarding the distribution of the fund and members were asked to bring ideas to the next meeting.

6. **YOUTH COMMITTEE MEMBERS ITEMS**

Link Councillors

The Committee discussed Link Councillors for the forthcoming year and it was

RESOLVED – That Councillors Hayes, Holland, Barker and Wardlaw be requested to remain as the Link Youth Committee Councillors.

Jeanne Whitehurst Fellowship

The Committee

RESOLVED – To award the Jeanne Whitehurst Fellowship for 2012 to Jordan Harding Pointon.

Membership

Emma informed the meeting that she would be resigning from the Committee from 10th May due to her age. There was a discussion regarding other membership and it was agreed to look at this item again in more detail.

7. **ANY OTHER BUSINESS**

None.

8. **DATE OF NEXT MEETING**

The next Youth Committee Meeting –

Monday 18th June 2012 – 7 p.m.

Jon Foster (Chairman)

Congleton Town Council

Minutes of the meeting of The Junior Council held on Tuesday, 29th May 2012 in the Town Hall, Congleton

PRESENT Town Councillors Mrs. S. A. Holland (Town Mayor)
G. Hayes
D. Murphy

Mrs. L. D. Minshull (Congleton Town Council)

	<u>School</u>
Young Councillors Mani Cunningham	Daven
Gavin Eaton	Daven
Jessica Sample	Daven
Jessica Probyn	Daven
Joseph Byrne	Havannah
Samual Smith	Havannah
Ellie Cliffe	Havannah
Issy Yates	Havannah
Aidan Arch	Marton
Livvie Brindley	Marton
Emily Staniforth	Marton
Sam Reynolds	Marton
Troy	Woodcocks Well
Eve	Woodcocks Well
Alex	Woodcocks Well
Luke	Woodcocks Well
Lily Bennett	Buglawton
Christian Arnold	Buglawton
Lewis Brindley	Buglawton
Louise Gillen	Buglawton

1. WELCOME

The Town Mayor, Councillor Sally Holland welcomed the young people and spoke about the pride she felt in becoming the Mayor.

2. CONGLETON TOWN MACE

Councillor Denis Murphy provided information on the Town Mace and the role of Mace Bearer. He explained the history of the Mace and said that the Mace was a symbol of authority.

3. **ELECTION OF YOUNG TOWN MAYOR**

Five young councillors put themselves forward for the position of Mayor and the Council voted. It was

RESOLVED: That Jessica Sample be elected as Young Town Mayor for the day.

4. **ELECTION OF YOUNG DEPUTY TOWN MAYOR**

RESOLVED: That Sam Reynolds be elected as Young Deputy Town Mayor for the day.

5. **CIVIC AND JUBILEE INFORMATION**

The Town Mayor and Councillor George Hayes provided information on the Jubilee and Congleton Civic information.

6. **CIVIC QUIZ**

Jo Money, Congleton Community projects gave a presentation on her work and the events to be held in Congleton over the next few months. She then presented a Royal and Civic Quiz.

7. **CONCLUSION**

Congleton Town Mayor, Councillor Sally Holland thanked the young people for their attendance and enthusiasm. Everyone was provided with a Congleton Jubilee Programme and a Town Council Civic Guide.

Councillor Mrs. S. Holland (Town Mayor)

CONGLETON TOWN COUNCIL MEETING – 21st JUNE 2012.

REPORT OF THE TOWN CLERK ON HONORARY BURGESSES

I have received a proposal from the leader of the Council Cllr R Edwards for the Council to consider inviting a distinguished past member of the Council, Mr Ernest Clarke, to become an Honorary Burgesses.

For Members information the Council may award a title of “Honorary Burgess” in recognition of service to Congleton Town. There is no legal significance to this title nor does it confer any rights or privileges. Burgesses are however invited to all full Council meetings and sent copies of agendas and non confidential reports.

To mark the conferring of this title, the Council presents the recipient with a document which takes the form of a resolution of the Council. The number of “Honorary Burgesses” is restricted to 25 living persons.

Recipients must be residents of Congleton Town, who by their actions, have served the Town for the benefit of the Community. Employees and sitting Members of the Council cannot be recipients.

If Members resolve to invite any persons to become Honorary Burgesses, I will write to inform them of their nomination. If they accept, the scrolls could be presented at the next Town Council meeting.

Decision Required

1. Does Council wish to invite Mr Ernest Clarke to become an Honorary Burgess?
2. Does the Council wish to invite Mr Clarke to sit on the Community, Environment and Services Committee and Floral Arrangement Working Group as a lay member, which confers no voting rights

Brian Hogan
Town Clerk

Proposal for an Honorary Burgess - Ernest Clarke

Ernie Clarke has been involved in community work in Congleton for the past for 50 years and until the last election in May 2011, was the Town Councillor for Buglawton and a past Mayor.

During this time, besides being a very busy Councillor, Ernie has been involved in a variety of other roles and activities, which to mention but a few, include being a member of Congleton Partnership, Congleton Community Projects, Vice Chair of the Governors at Buglawton School, Chairman of the Buglawton Community Group, becoming a leading light in Buglawton in Bloom who achieved numerous neighbourhood awards, actively involved in the Tea Club and the Disabled Club, as well as being a member of Congleton Rotary Club.

Devoting so much time and energy to the residents and community of Congleton deserves recognition in itself, Ernie then by his actions over a long period of time, has demonstrated the service that he has given to the benefit of the Community and I have great pleasure in recommending to you that the Town Council considers making Mr Ernest Clarke an Honorary Burgess.

Additionally, I would like to propose that Ernie is invited to join the Community, Environment and Services Committee and the Floral Arrangement Working Group as a lay member.

Councillor Bob Edwards
Leader of the Council

ADVICE NOTE: The Localism Act 2011

Standards and Code of Conduct for Parish Councillors in England

The Localism Act 2011 makes new arrangements for regulating the conduct of members of councils in England. The previous framework, brought in under the Local Government Act 2000, and the organisation called "Standards for England" have all but gone. Councils must now adopt their own codes of conduct, but parish councils can adopt the code of their principal authority, if they wish. Principal authorities will be responsible for investigating complaints against parish council members.

The Statutory Provisions¹

The statutory provisions are in sections 26 to 37 of the Localism Act 2011 and in Schedule 4 of the Act. Here you will find:

- The duty to promote and maintain high standards of conduct (s 27)
- The requirement for every relevant authority (including parish councils) to adopt a code of conduct and the arrangements for investigating alleged failure to comply with the code (s 27, s 28)
- The registration and disclosure of interests (ss 29 – 33)
- Offences (s 34)
- The abolition of "Standards for England" (s 26 and Sch 4)
- Transitional provisions (s 37).

Standards of Conduct

Relevant authorities (including parish councils) must promote and maintain high standards of conduct by their members and co-opted members² and must adopt a code of conduct. Parish councils may adopt the code of conduct adopted by their principal authority or one of the model codes which are available, if they do not wish to draft their own code.

The code must be consistent with the seven (Nolan) principles:

- selflessness
- integrity
- objectivity
- accountability
- openness
- honesty
- leadership.

¹ Provisions substantially in force on or before 1 July 2012: see The Localism Act 2011 (Commencement No 6 and Transitional, Savings and Transitory Provisions) Order 2012, SI 2012/1463.

² In Parish Councils, this rule applies to all members of the Parish Council, whether elected or co-opted or appointed by the District. Additionally, under section 27(1), a "co-opted member" means:

"a person who is not a member of the relevant 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".

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ADVICE NOTE: The Localism Act 2011

It must make provision about the registration and disclosure of interests. The Act distinguishes between pecuniary interests and interests other than pecuniary interests (see below for more detail).

A relevant authority must publicise its adoption (or its revision or replacement) of a code of conduct in such manner as it considers likely to bring the adoption, revision or replacement of the code to the attention of persons who live in the authority's area.³

Dealing with Misconduct

Principal councils must have in place arrangements for investigating alleged breaches of their code (and the codes of any parish councils in their area, if parish councils have adopted different codes from their principal authority⁴) and for making decisions on those allegations. These arrangements must include having an Independent Person on board, whose views must be sought and taken into account before the principal authority makes its decision on an allegation it has decided to investigate.⁵

Where a relevant authority finds that a member or co-opted member has failed to comply with its code of conduct, it "may have regard to the failure" in deciding whether to take action and what action to take.⁶ The Act does not make provision for a council or a standards committee to impose sanctions such as suspension or a requirement to undergo training or issue an apology, but actions which could be taken include:

- censuring the member
- reporting back to the (parish) council
- recommending that the member be removed from all (parish council) committees or sub-committees
- recommend that the (parish) council arrange training for the member
- recommend that the (parish) council remove the member from all outside appointments to which the member has been appointed or nominated by the (parish) council
- recommend that the (parish) council withdraws facilities provided to the member (eg computer, website, email and/or internet access)
- recommend that the (parish) council exclude the member from the council's offices or other premises, with an exception made for meeting rooms when the member is attending council, committee or sub-committee meetings.

Where any such recommendation is made to a parish council in respect of one of its members, the parish council is under no obligation to accept the recommendation.⁷

³ Section 28(12)

⁴ Section 28(6)(a) applied by s 28(9)(b)

⁵ Section 28(7). An "Independent Person" is defined in s 28(8), read in conjunction with s 28(10) which sets out the meaning of a "relative"

⁶ Section 28(11)

⁷ But a joint committee or joint sub-committee of the principal council and parish councils in its area could be given delegated powers to act.

ADVICE NOTE: The Localism Act 2011

A failure to comply with the code during the decision-making process does not, of itself, invalidate that decision.⁸

Register of Interests

The monitoring officer of a parish council's principal authority is responsible for establishing and maintaining a register of interests of the parish council's members and co-opted members. It must make a copy of this register available for inspection at a place in the principal authority's area at all reasonable times and publish it on its website, and the parish council must publish the register on the parish council's website, if it has one.⁹

Disclosure of Interests

Before the end of 28 days of becoming a member or co-opted member, the member or co-opted member must notify the principal authority's monitoring officer of any disclosable pecuniary interests which he or she has at the time the notification is given, unless the person has been re-elected or re-appointed and such interests are already registered.¹⁰

A pecuniary interest will be a "disclosable pecuniary interest" if:

- it of a description specified in regulations¹¹; and
- it is an interest of:

EITHER

- the member or co-opted member;

OR

- the member's or co-opted member's spouse or civil partner; or
 - a person with whom the member or co-opted member is living as husband and wife; or
 - a person with whom the member or co-opted member is living as if they were civil partners;
- and the member or co-opted member is aware that that other person has the interest.¹²

If a member or co-opted member is present at a meeting of the authority, or of any committee, sub-committee, joint committee or joint sub-committee of the authority, and is aware that he or she has a disclosable pecuniary interest in any matter to be considered or being considered at the meeting and that interest is not in the register, he or she must disclose that interest to the meeting (or, in the case of a sensitive interest, disclose the fact of there being a disclosable pecuniary interest, but not details of the interest itself).¹³ If the interest is not the subject of a pending notification, the member or co-opted member must

⁸ Section 28(4)

⁹ Section 29, subject to s 32(2)

¹⁰ Section 30(1), (2)

¹¹ The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (SI 2012/1464) come into force on 1 July 2012. See below.

¹² Section 30(3)

¹³ Section 31(1), (2), section 32(3)

ADVICE NOTE: The Localism Act 2011

also notify the monitoring officer of the interest before the end of twenty eight days beginning with the date of disclosure.¹⁴ The member or co-opted member may not participate, or participate further, in any discussion of the matter at the meeting, or participate in any vote, or further vote, taken on the matter at the meeting, unless a dispensation has been granted¹⁵, and standing orders may provide for the exclusion of a member or co-opted member while any such discussion or vote on a matter takes place.¹⁶

Sensitive Interests

Where a member or a co-opted member has an interest (whether or not a disclosable pecuniary interest) and the nature of the interest is such that the member or co-opted member and the authority's monitoring officer consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation,¹⁷ no details of the interest must be included in copies of the authority's register which are made available for inspection or published, but an entry may state that the member or co-opted member has an interest, the details of which are withheld under section 32(2). Likewise, a member or co-opted member is only required to disclose the fact that he or she has a disclosable pecuniary interest and not the nature of it, if he or she is attending a meeting and, in the circumstances, would have been required to disclose details of that interest, had it not been a sensitive interest.¹⁸

Dispensations

A dispensation from the restriction on participating in the discussion or voting on a matter in which a member or co-opted member has a disclosable pecuniary interest may be granted to that member or co-opted member in specified circumstances¹⁹, such as where the authority considers that:

- without the dispensation, the number of members or co-opted members prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
- without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business;
- granting the dispensation is in the interests of persons living in the authority's area;
- that it is otherwise appropriate to grant a dispensation.

¹⁴ Section 31(3)

¹⁵ Section 31(4), section 33

¹⁶ Section 31(10)

¹⁷ Section 32(1)

¹⁸ Section 32(3)

¹⁹ Section 33

ADVICE NOTE: The Localism Act 2011

Offences

It is an offence, if without reasonable excuse, a person:

- fails to comply with an obligation imposed on the person by section 30(1) or 31(2) or (3) (ie the requirement to disclose disclosable pecuniary interests on taking office,
- and at a meeting, and the requirement to notify the monitoring officer in the circumstances specified), or
- participates in any discussion or vote in contravention of section 31(4).²⁰

It is also an offence if, under sections 30(1) or 31(2) or (3), the person provides information that is false or misleading and the person:

- knows that the information is false or misleading, or
- is reckless as to whether the information is true and not misleading.²¹

A person who is found guilty of an offence under this section is liable on summary conviction to a fine not exceeding level five on the standard scale²² and may be disqualified from being or becoming a member or co-opted member of the relevant authority or any other relevant authority for a period not exceeding five years.²³

No proceedings may be brought more than three years after the commission of the offence or, in the case of a continuous contravention, more than three years after the last date on which the offence was committed.²⁴

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, SI 2012/1464

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 come into force on 1 July 2012. A "disclosable pecuniary interest" (for the purposes of section 30(3) of the Localism Act 2011) is an interest of a member or of the member's partner (see above) within one of the following descriptions:

²⁰ Section 34(1); further provisions in this section apply in respect of principal councils, where a function of the authority may be discharged by a member acting alone

²¹ Section 34(2)

²² Section 34(3)

²³ Section 34(4)

²⁴ Section 34(7)

ADVICE NOTE: The Localism Act 2011

SCHEDULE

Regulation 2

<i>Subject</i>	<i>Prescribed description</i>
<i>Employment, office, trade, profession or vacation [sic]</i>	<i>Any employment, office, trade, profession or vocation carried on for profit or gain.</i>
<i>Sponsorship</i>	<i>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</i>
<i>Contracts</i>	<i>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</i>
<i>Land</i>	<i>Any beneficial interest in land which is within the area of the relevant authority.</i>
<i>Licences</i>	<i>Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.</i>
<i>Corporate tenancies</i>	<i>Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.</i>
<i>Securities</i>	<i>Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</i>

ADVICE NOTE: The Localism Act 2011

The following definitions apply:

"the Act" means the Localism Act 2011;

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

"director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

"M" means a member of a relevant authority;

"member" includes a co-opted member;

"relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

"relevant person" means M or any other person referred to in section 30(3)(b) of the Act;

"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.

Members must be clear about their obligations regarding disclosable pecuniary interests and the risk of criminal sanction they face if they are found to be at fault. Clerks should ensure their councillors know about the Standards provisions of the Localism Act and about these Regulations.