**C Y N G O R T R E F C A E R F F I L I**

**C A E R F F I L I T O W N C O U N C I L**

**CLERC Y DREF: MAER Y DREF:**

**TOWN CLERK: TOWN MAYOR:**

**P G Davy Cllr M Prew**

11th September **2023**

An **Ordinary Meeting** of the **Caerphilly Town Council** will be held on **Monday 18th September 2023** at **6.30 pm** by **Multi Location**

Any Member requiring further information on any item should contact me before the Meeting.

Phil Davy

Town Clerk

**A G E N D A**

1. To note Members’ attendance and to receive any apologies for absence.

2. Declarations of Interest in any item.

3. To receive and if thought fit to confirm the Minutes of the Ordinary Council Meeting

held on Monday 17th July 2023. .

4. Matters arising from the Minutes if not covered by the Agenda.

5. **COMMUNITY SAFETY MATTERS**

6. **TOWN MAYOR’S DIARY**

7. **ENVIRONMENTAL MATTERS**

8. **TOWN CLERK’S REPORTS**

8.1 Tender Report Christmas Lights.

**Address: Twyn Community Centre The Twyn Caerffili CF83 IJL**

**Telephone: 07950 935822**

 **E-mail: caerphillytowncouncil@outlook.com**

 **Office hours: By Appointment Monday to Friday**

8.2 Financial Regulations.

8.3 Health and Safety Policy Statement.

8.4 Business Continuity Plan.

8.5 Document Retention and Disposal Policy.

9. **PLANNING MATTERS**

10. **PAYMENT AND FINANCIAL MATTERS**

 10.1 List of Payments

 10.2 Bank Account Balances

 10.3 Application for Financial Assistance

11. **CORRESPONDENCE**

 11.1 Letter from Plaid Cymru Caerffili Branch re Caerffili 2035 Plan

12. **MEMBERS REQUESTS FOR FUTURE REPORTS**

The meeting will be held in accordance with Section 47 of the Local Government and Elections (Wales) Act 2021 by multi location.

Any member of the public or media wishing to attend this meeting by remote access should contact the Town Clerk at:

caerphillytowncouncil@outlook.com

All documentation about and relating to this and any other Town Council meeting undertaken by hybrid format or fully by remote access will be made available on the Town Council website:

[www.caerphillytowncouncil.co.uk](http://www.caerphillytowncouncil.co.uk)

**C A E R P H I L L Y T O W N C O U N C I L**

 **C Y N G O R T R E F C A E R F F I L I**

**TOWN CLERK: TOWN MAYOR: CLERC Y DREF: MAER Y DREF:**

**P. G. Davy Cllr Mike Prew**

**MINUTES OF THE ORDINARY MEETING OF CAERPHILLY TOWN COUNCIL HELD BY MULTI LOCATION ON 17 JULY 2023**

**Present:**

Councillor P J Bevan, M Downes, J Fussell, J Grenfell, A Broughton Pettit, M Prew, P Reed, D Roberts

**Apologies:**

Councillor C Elsbury, S Kent, C Lewis, J Pettit

**In Attendance:**

R Collins, Gwent Police

P G Davy, Town Clerk

**35 MINUTES OF THE ORDINARY TOWN COUNCIL MEETING HELD ON 19 JUNE 2023**

Minutes of the Ordinary Town Council meeting held on 19 June 2023 were received and confirmed and signed by the Town Mayor

**36 MATTERS ARISING**

Minute 29 A response had been received from CCBC in respect of litter and rubbish around the town centre; and an update on Manchester House.

Minute 30.1.2 Councillor C Lewis confirmed as a representative on the Procurement Advisory Panel.

Minute 30.1.3 The Tender for the Christmas Lights (installation, removal and storage) will be issued on 18 July 2023.

Minute 30.3 Cadw had advised that it will not be possible to hold a St Davids Day celebration fireworks display in March 2024 due to continuing works at Caerphilly Castle and the unavailability of the launch sites.

Minute 33 CCBC had advised that table sponsors at the Caerphilly Sports Awards are not represented at the event.

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**37 COMMUNITY SAFETY MATTERS**

The police had provided a written report and advised on the following:

* Vehicle interference on Castle View Estate
* Shoplifting particularly at Morrisons, Aldi, Asda, B&M, B&Q, an Action Plan was in place and police are liaising with store managers
* ASB at Beechtree View
* Level of ASB at Morgan Jones Park and Churchill Park has declined and current Action Plan will be closed down
* Caerphilly Pride had been a successful and well attended event and planning had started for 2024
* Planning was progressing for summer Fun Day at Morgan Jones Park on 26.8.23

Members raised the incident involving a car that had crashed into the launderette in Mill Road which was the subject of ongoing investigation, and ASB at St Catherine’s Court.

**38 TOWN MAYOR’S DIARY**

The Mayor had launched the duck race at St Helen’s School, had attended an open day at the Church View Residential Home, a concert at the VANguard Centre, and met with his charity for the year AP Cymru.

The Mayor recorded his thanks to Councillor J Fussell and all the local groups involved with the Wales in Bloom.

**39 ENVIRONMENTAL MATTERS**

Information was requested on the CCBC policy for weed control.

The judging of the displays for Wales in Bloom had taken place and Councillor J Fussell had accompanied the judge on a walking tour of the town centre followed by a drive around to visit locations where other groups were involved.

Concern was raised about the management of the area around Castle View Lake where there was indiscriminate parking and overnight camping. The land is owned by the Crown Estate.

Recent heavy rain had resulted in flash flooding from the Virginia Park site.

**40 TOWN CLERK’S REPORTS**

1 Q1 Budget Monitoring 2023-24 Financial Year

Expenditure in the period 1st April 2023 to 30 June 2023 was £29971-53 which represents 22% of the annual estimate approved in November 2022.

The report was noted.

2 The Finance and Governance Toolkit for Community and Town Councils – The Health Check Action Plan Update

An action plan had been agreed in September 2022. A number of the actions had been completed but others remain outstanding due to other work priorities. As a consequence of the qualified audit opinion for the 2021-22 financial year additional actions have been added (toolkit reference nos E24,E25,E26,E27) primarily relating to a review of the Financial Regulations.

Members noted the position with the updated Health Check Action Plan and agreed not to set target timescales due to the Town Clerk priorities focused on competitive tendering for the Christmas Lights in 2023 and the floral displays in 2024. Progress with the Action Plan is further reviewed in 12 months (July 2024).

**41 PLANNING MATTERS**

The following planning applications were considered, and comments made as follows:

23/0382/HH – no objections

23/0389/HH – no objections

23/0399/COU – in light of complaints from local residents it was agreed that a request should be made for this application to be referred to the CCBC Planning Committee

23/0401/HH – no objections

23/0299/RET – no objections

23/0334/COU – no objections

23/0431/RET – no objections

23/0463/HH – no objections

23/0446/HH – no objections

Councillor J Fussell declared an interest and took no part in the discussion or decision making on the applications.

CCBC has changed the consultation arrangements and applications will be sent to the Town Council the day they are registered as the statutory consultation period is 21 days. This is to avoid the delay that arises with the weekly list. As the applications are received they will be circulated to Members. Members will need to advise the Town Clerk on any application that they would like discussed at the Town Council in order that it can be put on the agenda, otherwise it will be assumed there are no objections.

**42 PAYMENTS AND FINANCIAL MATTERS**

1 List of payments were noted and approved.

2 Bank account balances were noted.

3 Applications for Financial Assistance

VANguard Centre

It was agreed to provide a grant of £400. The financial assistance expenditure is authorised under the Local Government Act 1972 section 137.

Castle View Community Group

It was agreed to provide a grant of £250. The financial assistance expenditure is authorised under the Local Government Act 1972 section 137.

**43 CORRESPONDENCE**

The correspondence from Caerphilly Miners Centre and Caerphilly Art Society thanking the Town Council for their respective grants was noted and appreciated.

**44 MEMBER REQUESTS FOR FUTURE REPORTS**

Following a discussion about engagement with the local business community it was agreed to invite relevant senior officers from CCBC to outline current arrangements.

**45 NOTICE OF MOTION**

The motion was submitted by Councillor D Roberts and seconded by Councillor P Bevan.

“My motion is to use the Welsh spelling “Caerffili” in the title of the Town Council. We would be Caerffili Town Council or Cyngor Dref Caerffili. I have no wish to make anything else that doesn’t need to be either Welsh or bilingual.”

The motion was supported but it was agreed this would not be applied retrospectively.

Councillor A Broughton Pettit had voted against the motion and requested this was recorded.

The meeting closed at 8.00 pm.

**Agenda Item 8.1**

**Report to Town Council 18 September 2023**

**Tender for the installation, removal and storage of Christmas Lights**

The tender opportunity was posted on the website and alerts sent to six companies on 18 July 2023. The contract will be for 2023 with the option to extend a further two years (2024 and 2025). The closing date for the return of tenders was 14 August 2023. The tenders received were opened by the Town Clerk and witnessed by Councillor P Reed.

The tender evaluation process was pre determined and had been set out in the tender document so those submitting bids would be aware how they would be assessed.

The evaluation comprises three stages:

 Stage 1 – Compliance (pass / fail)

 Stage 2 – Quality (30%)

 Stage 3 – Price (70%)

Two tenders were received from South Wales based businesses.

 Company A

 Company B

Stage 1 Compliance

Company A had submitted all the information requested. Company B did not submit all the information required for the quality assessment.

Stage 3 Price

The tender sum is made up of the Core Service Requirements and the Additional Items (Christmas Tree and 9 motifs at Crescent Road). Company B did not price for the Christmas Tree. To ensure a like for like comparison the tender sums have been adjusted to omit the Christmas Tree and the call out charge element. The comparable tender sums are, excluding vat:

 Company A £4771-80

 Company B £15020

The basis on which the tender prices would be scored was set out in the tender document:

“For the tender sum the tenderer with the most competitive price will receive the maximum points available (70 points). Each remaining tenderer’s price will be awarded a score based on the percentage difference between their price and that of the most competitive price. Tenderers will not be awarded negative scores and if this should arise will be awarded 0 points”

Applying this methodology Company A is awarded 70 points. Due to the percentage difference of 215% Company B is awarded 0 points.

Stage 2 Quality

The original intention was for the Quality assessment to be undertaken by the Member Procurement Advisory Panel. However, in the circumstances outlined above where Company B price was three times that of Company A, and as Company B failed the initial compliance check by not submitting all the information required for the quality assessment there was no purpose in undertaken the scoring.

Conclusion

There is only one fully compliant tender, submitted by Company A, and this company has submitted a significantly lower cost than that of Company B. The current financial regulations require that for contracts in excess of £2000 three tenders are required to evidence that value for money is being obtained. However financial regulation 11(g) states:

“If less than three tenders are received for contracts valued above £2000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works”.

(Note Agenda Item 8.2 at this Town Council meeting proposes revisions to the financial regulations but this report is being considered on the basis of the current financial regulations).

Company A price is very similar to the costs incurred for the 2022 Christmas period.

Company A has included a price for supply, erection and removal of a 25 foot Christmas Tree in the sum of £1580. There is a benefit in one contractor being responsible for the Christmas Tree and the installation of the lights as this avoids any conflicts by having different contactors involved. The tender sum quoted by Company A does not include any call out charges but it has been indicated they will be charged at £65 for the first hour then £35 per hour.

Recommendations

1 That the tender for the installation, removal, and storage of Christmas Lights is awarded to Company A, Elsbury Access Platforms, in the sum of £4771-80 for 2023 which includes for 9 motifs on Crescent Road, and with the option to extend for a further two years (2024 and 2025).

2 That the callout charge of £65 for the first hour and £35 per hour thereafter is noted and is additional to the tender sum in recommendation 1.

3 That the contract should include the supply, erection, and removal of a 25ft Christmas Tree at an additional cost of £1580 for 2023.

Phil Davy

Town Clerk

**Agenda Item 8.2**

**Report to Town Council 18 September 2023**

**Financial Regulations**

The report to the Town Council on 17 July 2023 on The Finance and Governance Toolkit for Community and Town Councils – Health Check Action Plan Update identified that the qualified audit opinion for the year 2021-22 issued by the Auditor General for Wales raised new considerations for the Action Plan (Toolkit Reference E24, E25, E26, E27).

Community and Town Councils are entrusted with management of public funds and assets. All councils should have appropriate financial governance arrangements in place to ensure the security of these resources and to ensure that they achieve economy, efficiency, and effectiveness in the use of those resources.

The Local Government Act 1972 section 135 requires all councils to make standing orders covering contracts for the supply of goods, materials, and the execution of works. The standing orders must make provision to secure competition and to regulate the way in which tenders are invited. Section 135 allows for small contracts to be exempt and to make an exemption in a particular case. The qualified audit opinion raised questions about the financial regulation relating to contracts and the circumstances in which an existing contract can be extended without further competition.

The financial regulations have been comprehensively reviewed and certain procurement thresholds have been increased and are attached for consideration.

Recommendation

That the updated Financial Regulations are formally adopted and published on the website.

Phil Davy

Town Clerk

**Caerphilly Town Council**

**Financial Regulations**

**1 Definitions**

Meaning to the terms applied in these financial regulations:

“financial regulations” are these Financial Regulations as adopted by the Town Council

“clerk” is the Town Clerk

“RFO” stands for Responsible Financial Officer

“RFO” is the Town Clerk (Caerphilly Town Council has appointed the Town Clerk to fulfil the role of RFO in addition to the statutory role as the Proper Officer).

“proper officer” is the Town Clerk (The Town Clerk is responsible in law for the administration of the Town Council, and can act on behalf of the Town Council under delegated authority).

“council” is the Caerphilly Town Council

“Mayor” is Town Mayor

“member” is an elected Town Councillor

“internal auditor” an independent and competent person appointed by the Town Council

“external auditor” is Audit Wales, or body appointed on behalf of the Auditor General for Wales

**2 General**

2.1 These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. 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 financial control which facilitates the effective exercise of the council’s functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. These financial regulations are designed to demonstrate how the council meets these responsibilities.

2.2 The Responsible Financial Officer (RFO) is a statutory officer and shall be appointed by the council. The clerk has been appointed as RFO for the council and these financial regulations apply accordingly.

2.3 The RFO will:

* Act under the policy direction of the council
* Administer the council’s financial affairs in accordance with legislation, Regulations, and proper practices
* Determine on behalf of the council its accounting records and accounting control systems
* Ensure the accounting control systems are observed
* Maintain the accounting records of the council up to date in accordance with proper practices
* Assist the council to secure economy, efficiency and effectiveness in the use of its resources
* Produce financial management information as required by the council

2.4 The accounting control systems determined by the RFO shall include:

* Procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately as possible
* Procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records
* Where appropriate identification of the duties of officers dealing with financial transactions
* Measures to ensure that financial risk is properly managed

2.5 The council is responsible for:

* Setting the budget and determining the precept
* Approving the accounting statements
* Approving the annual governance statement
* Approving any borrowing
* Declaring eligibility for the General Power of Well Being
* Addressing recommendations in any report from the internal or external auditors
* Appointing employees, approving salary grades, terms and conditions
* Approving any annual pay award to employees

2.6 At least once a year prior to approving the annual return the council shall conduct a review of the effectiveness of its system of internal control as evidenced through the internal audit which shall be in accordance with proper practices.

2.7 References to Audit Regulations shall mean the Accounts and Audit (Wales) Regulations 2014 issued under the provisions of the Public Audit (Wales) Act 2004 and supplemented by the Auditor General for Wales Code of Practice.

2.8 The term “proper practice” or “proper practices” shall refer to guidance issued in The Finance and Governance Toolkit for Community and Town Councils in Wales published jointly by One Voice Wales, Society of Local Council Clerks (SLCC) and Welsh Government in June 2022 and as updated from time to time.

**3 Accounting and Audit**

3.1 At any time the council may instigate a selection of accounts for investigation and verification of invoices and bank reconciliations. The council may appoint a panel of members to review the financial records and the audit trail on nominated transactions and report issues to the council. The council shall determine any appropriate action in response to issues identified.

3.2 The RFO shall complete the annual statement of accounts, annual governance report

and any related documents specified by the external auditor as soon as practicable after the end of the financial year and having certified the accounts shall submit them to the council for approval within the timescales set by the Audit Regulations and as directed by the external auditor.

3.3 The internal auditor shall be appointed by the council and shall be independent of the council free from any actual or perceived conflicts of interest including any relationships with members of the council.

3.4 The council will make available such documents as required by the internal auditor for the purpose of the internal audit.

3.5 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 display or publish any notices and statements of account required by Public Audit (Wales) Act 2004, or any superseding legislation, and the Audit Regulations.

3.6 The RFO shall, without undue delay, bring to the attention of all members any correspondence or report from the internal or external auditor.

**4 Annual Estimates (Budget)**

4.1 Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the council.

4.2 The council shall review the budget not later than the end of January each year and shall fix the precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved budget.

4.3 The approved annual budget shall form the basis of financial control for the ensuing year.

**5 Budgetary Control**

5.1 Expenditure on revenue items may be incurred up to amounts included for that class of expenditure in the approved budget. Authority is delegated to the clerk to incur expenditure within approved budgets with payments being reported to the next available council meeting, subject to financial regulation 11 applying to items in excess of £5000.

5.2 No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to reserves, and the virement recorded in the council minutes.

5.3 The RFO shall provide the council with quarterly monitoring reports comparing actual expenditure against the approved annual budget estimates.

5.4 The 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 urgency that it must be done

at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1000. The clerk shall report the action to the council as soon as practicable thereafter.

5.5 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure unless the council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.

5.6 All capital projects shall be administered in accordance with the financial regulations relating to contracts.

5.7 Changes to operational and restricted reserves shall be approved by council as appropriate as part of the budgetary control process.

**6 Banking Arrangements and Payment of Accounts**

6.1 Banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council. The council will operate a Business Online banking facility. Banking arrangements will be periodically reviewed for efficiency.

6.2 All payments will be made by cheque, debit card, order drawn on the council’s bankers, or by internet banking transactions.

6.3 All invoices for payment shall be checked for arithmetical accuracy, verified and certified to confirm that the work, goods, or services to which each invoice relates has been received or carried out and prompt payment made under the delegated authority to the clerk, and the payment shall be reported to the next available council meeting.

6.4 A schedule of payments made shall be prepared by the RFO and presented to the council for retrospective confirmation and recorded in the minutes. Where queries are raised on any individual payment this will be noted in the minutes and if appropriate referred to the select account procedure for further examination by members appointed by the council.

6.5 Cheques drawn on the bank account and reported with the schedule of payments shall be signed by two of the three cheque signatories.

6.6 Business Online banking transactions will be authorised by the clerk, and any other user authorised by the council, and such transactions will be recorded in the schedule of payments.

6.7 Business Debit Card transactions will be authorised by the clerk, and any other user authorised by the council, and such transactions will be recorded in the schedule of payments.

6.8 The council will not maintain any form of cash float. Any cash received (eg street collection for Mayor’s charities) will be counted, checked and banked as soon as practical. Any legitimate incidental purchases made by officers or members with cash will be reimbursed on production of receipts either by cheque or internet bank transfer.

6.9 The appointment of bankers, cheque signatories, and authorised users for online banking and debit card will be reaffirmed at the AGM.

**7 Payment of Salaries**

7.1 As an employer the council shall make arrangements to meet 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 currently operating rules for PAYE and National Insurance, and salaries shall be as approved by the council.

7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, will be made in accordance with payroll records and on the appropriate pay dates, and that each payment is included within the next available schedule of payments reported to council for confirmation.

7.3 No changes shall be made to any employee’s pay, terms and conditions of employment without the prior approval of the council.

**8 Loans and Investments**

8.1 All loans and investments shall be negotiated in the name of the council and shall be for a set period as determined by the council.

8.2 Depending on circumstances the council will if appropriate approve an Investment Policy prepared in accordance with relevant regulations, proper practices and guidance, and such policy will be reviewed annually.

8.3 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 the council as to terms and purpose. All borrowings shall be subject to annual review.

8.4 All investment certificates and other documents relating thereto shall be securely retained by the RFO.

**9 Income**

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

9.2 Particulars of all charges to be made for work done, services rendered, or goods supplied shall be agreed annually by the council and the RFO shall be responsible for the collections of all amounts due to the council.

9.3 All receipts received by the council shall be banked as soon as practical by the RFO and the origin of each receipt shall be entered on the paying in slip.

9.4 The RFO shall promptly complete any VAT return that is required. The VAT126 refund claim shall be made annually coinciding with the financial year end.

**10 Orders for Work, Goods, and Services**

10.1 An official order, letter, or email shall be issued for all work, goods, and services, unless a formal contract is to be prepared, and will be confirmation of the council’s

commitment to proceed. File copies shall be retained for future reference.

10.2 All members and officers are responsible for obtaining value for money at all times. The clerk shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any overriding exceptions as set out in financial regulation 11.

10.3 An individual member may not issue an official order or make any commitment in respect of the award of a contract on behalf of the council.

**11 Contracts**

11.1 Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency and provided that this regulation need not apply to contracts which relate to the following items:

 (i) for the supply of gas, electricity, water, sewerage and telephone services

(ii) for specialist services such as provided by solicitors, accountants, surveyors and planning consultants

(iii) 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

(iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract

(v) for goods or materials proposed to be purchased which are proprietary articles and are only sold at a fixed price

(vi) for the extension of work / services by an existing supplier

Any contract extension relating to (iv) and (vi) shall apply on not more than two occasions and not exceed the value of the original purchase plus 10%.

11.2 Where it is intended to enter into a contract exceeding £5000 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 in paragraph 11.1 above, the clerk shall invite tenders from at least three firms.

11.3 The council shall appoint a Procurement Advisory Panel with responsibility to evaluate tenders and make a recommendation to the council. The award of contracts exceeding £5000 is reserved to the council.

11.4 Items of expenditure less than £5000 are delegated to the clerk subject to an approved budget provision. Where the value is below £5000 and above £250 the clerk shall strive to obtain three quotations, or estimates. Less than £250 quotations are not required but the clerk should endeavour to obtain best prices.

11.5 The requirements of the Public Contracts Regulations 2015 will apply in circumstances where the threshold is exceeded (currently the threshold for public supply and public service contracts is £164,176)

11.6 When there is a proposal to suspend financial regulations relating to contracts to enable a price to be negotiated without competition the reasons shall be set out in a report to the council.

11.7 An invitation to tender (exceeding £5000) 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 and the last date by which such tenders should reach the clerk in the ordinary course of the post. Each tender document shall specify the information required and outline the evaluation process.

11.8 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 the council. The member shall be required to evidence presence at the tender opening by signature on the documents received.

11.9 If less than three tenders are received for contracts valued at exceeding £5000, or if all the tenders are identical (if based solely on price) the council may make such arrangements as it thinks for the procuring the goods or materials or executing the works.

11.10 The council shall not be obliged to accept the lowest or any tender, quotation, or estimate.

11.11 Members and employees shall not, so far as is practicable, be involved in the award of contracts with organisations or individuals in respect of which a personal interest exists, whether declared or not.

**12 Assets**

12.1 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, and if appropriate in conjunction with a health and safety inspection of the assets.

12.2 No tangible moveable property shall be disposed of without the authority of the council except where the estimated value of any one item does not exceed £250.

12.3 No buildings or land shall be purchased or acquired without the authority of the council. In each case a report shall be provided to the council in respect of valuation and surveyed condition of the building or land including planning permissions and covenants together with a business case.

**13 Insurance**

13.1 The RFO shall effect all insurances, including employers liability and public liability, and negotiate all claims against the council’s insurers.

13.2 The RFO shall keep a record of all insurances effected by the council and the property and other risks covered and review the annual premium(s) to ensure they are competitive.

13,3 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 the insurer and to the council at the next available meeting.

13.4 All appropriate employees of the council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council.

**14 Risk Management**

14.1 The council is responsible for putting in place arrangements for the management of risk. The clerk will maintain a risk register that shall be reviewed annually by the council.

14.2 When considering any new activity the clerk shall prepare a draft risk assessment including risk mitigation proposals for consideration and adoption by the council.

**15 Suspension of Financial Regulations**

15.1 The council may, by resolution of the council, suspend any part of these financial regulations provided that reasons for the suspension are recorded in the minutes and members are fully aware of any risks arising.

**16 Revision of Financial Regulations**

16.1 It shall be the duty of the council to review the financial regulations periodically. The clerk shall make arrangements to monitor changes in legislation or proper practices and having regard to any reports from the internal or external auditor shall advise the council of any requirement for a consequential amendment to these financial regulations.

First adopted 2011

Amended September 2017 to incorporate internet banking

Amended February 2018 to incorporate debit card

Comprehensively revised and updated, and adopted September 2023

**Agenda Item 8.3**

**Report to Town Council 18 September 2023**

**Health and Safety Policy Statement**

A report to the Town Council on 17 July 2023 on The Finance and Governance Toolkit for Community and Town Councils – Health Check Action Plan Update had identified that a Health and Safety Policy Statement was outstanding. (Toolkit Reference D26). A Policy Statement has now been prepared and is attached for consideration.

Recommendation

That the Health and Safety Policy Statement is formally adopted and published on the website.

Phil Davy

Town Clerk

**Caerphilly Town Council**

**Health and Safety Policy Statement**

All members and employees have a responsibility for health and safety. The Town Council has an overall responsibility as a corporate body. The Town Clerk must ensure that activities are carried out in accordance with this Policy Statement, accepted standards and safe working procedures, and in accordance with statutory provisions. The Town Clerk must report to the Town Council in respect of any health and safety breaches and the steps necessary to mitigate identified risks.

The Town Council owns no land or buildings and operates from rented accommodation at the Twyn Community Centre. But several situations can arise that present a risk to health and safety including contact with machinery, struck by moving or falling objects, contact with electricity or an electrical discharge, slip, trip or fall, exposure or contact with hot / harmful substance, fire and explosion. The risk environment is considered low if members and employees exercise due care. Nevertheless all reasonably practicable measures will be taken to prevent personal injury, occupational disease and damage to property. These measures include the protection of the public who may be attending at the office or Town Council organised events.

**The Town Council responsibilities:**

* to provide and maintain safe and healthy working conditions taking into account statutory requirements
* to provide training as appropriate to enable employees to perform their work safely and efficiently
* to provide and maintain any necessary safety devices and protective equipment
* to provide instruction as necessary on how to use safety devices and protective equipment
* to meet the obligations of health and safety in the workplace through consultation

**The Employees responsibilities:**

* to work safely and efficiently whether office or home based
* to meet statutory obligations relating to health and safety in the workplace
* to report promptly all accidents and incidents including those where no injury to people has occurred
* to assist in the investigation of accidents so that measures may be taken to prevent a recurrence
* not intentionally or recklessly interfere with or misuse anything provided in the interest of health, safety or welfare in pursuance of any of the relevant statutory provisions

**Health and Safety Risks arising from Work Activities**

Under the Management of Health and Safety at Work Regulations the Town Council has

a duty to assess risks to the health and safety of anyone who may be affected by their work activities. The Town Council has a duty to ensure that no one is put at risk from activities under its control. The events organised by the Town Council, in particular the Christmas Lights switch on and the fireworks display at Caerphilly Castle present a series of risks to the public and the events are subject of separate risk assessments. The Town Council will ensure that appropriate insurance is in place and will employ a sufficient number of stewards to safely manage the public attending the events.

**Safe Plant and Equipment**

Under the Provision and Use of Work Equipment Regulations the Council has a duty to ensure that all plant and equipment that requires maintenance (eg portable electrical appliances) is identified and that maintenance work is undertaken. Building related plant and equipment is the responsibility of the landlord. Any defects identified should be reported to the Twyn Centre Management Committee.

**Safe Handling and Use of Substances**

Under the Control of Substances Hazardous Regulations (COSHH) the Town Council has a duty to assess the risks from hazardous substances that are used (eg chemicals, solvents, paints, oil etc). In the normal course of activities this risk will not arise.

**Information and Instruction**

The law requires an employer to provide appropriate information, instruction and training regarding health and safety at work. This is to enable employees to work safely for the benefit of themselves and others. Although the risk environment is low, as part of the induction for new employees, health and safety training will be provided. Stewards attending at events will have a prior briefing that will include health and safety. It will be an operational requirement for stewards to operate in pairs and have a means of communication with the chief steward or other nominated contact.

Training records will be kept for employees and members.

**Accidents, First Aid and Work Related Ill Health**

All accidents and dangerous occurrences will be investigated and reasonable measures put in place to prevent recurrences.

The Town Clerk is responsible for reporting notifiable accidents, diseases and dangerous occurrences to the enforcing authority, as required by the Reporting of Injuries, Diseases, and Dangerous Occurrences Regulations (RIDDOR).

A first aid kit is located in the Town Council office.

The Town Council will adopt reasonably practicable measures to reduce the risk of work related stress.

**Emergency Procedures – Fire Evacuation**

The landlord is responsible for the fire risk assessment, testing of the fire alarm, and maintenance of the fire extinguishers.

Members and employees should be familiar with the fire evacuation procedures and assembly point at the Twyn Community Centre.

**Review**

The Town Council is committed to managing health, safety and welfare in the workplace. The Town Clerk will report to the Town Council any issues that raise concern in relation to this policy and as appropriate recommend mitigation measures. As necessary the policy will be updated to reflect changes in health and safety legislation.

Adopted September 2023

**Agenda Item 8.4**

**Report to Town Council 18 September 2023**

**Business Continuity Plan**

A report to the Town Council on 17 July 2023 on The Finance and Governance Toolkit for Community and Town Councils – Health Check Action Plan Update had identified that a Business Continuity Plan was outstanding. (Toolkit Reference D24). A policy document has now been prepared and is attached for consultation.

Recommendation

That the Business Continuity Plan is formally adopted and published on the website.

Phil Davy

Town Clerk

**Caerphilly Town Council**

**Business Continuity Plan**

The Town Council does not deliver any direct services and therefore any disruption by whatever cause will have minimal impact on the public. The biggest risk to business continuity is the non availability of the Town Clerk due to an unplanned extended period of absence. The Town Council is unable to legally fulfil its responsibilities as a public body without a Proper Officer and S151 Responsible Financial Officer, both statutory functions performed by the Town Clerk. There are other disruptions that may affect business. The most recent was the Covid 19 pandemic which led to the introduction of remote access to meetings, home working of employees, and advanced the migration of day to day business online.

**Response to Disruption Events**

1 Loss of Town Clerk due to illness, incapacity, resignation or dismissal

Town Mayor to call extraordinary meeting of Town Council to agree appropriate actions.

Temporary replacement recruited via SLCC locum service. Recruitment of permanent replacement initiated as appropriate.

Key documents collected from Town Clerk’ s home:

* Income and expenditure ledger
* Cheque book
* Paying in book
* Debit card
* Internet banking access
* Bank mandate
* Payroll records / access to payroll software / HMRC PAYE
* Bank statements / reconciliations
* Invoices
* Mobile phone (EE)
* Broadband information (BT)
* Office keys
* Laptop
* Personnel records
* Member allowances
* VAT records
* CIL records
* Insurance cover
* Budget and budget monitoring reports
* Audit files
* Event files
* Website administration access

2 Loss of Town Councillors due to multiple resignations

If the number of councillors falls to less than a third of the total membership the Town Council will not be able to make decisions (inquorate). The Town Clerk will discuss with CCBC by elections to fill vacancies and / or co option. The Town Clerk will make any urgent decisions in consultation with the remaining members.

3 Unavailability of office due to fire, theft etc

This will have limited impact as employees are primarily home based. There may be some loss of files or office equipment. Business broadband may be affected with loss of internet connection to office. Make insurance claim if appropriate.

4 Unavailability of meeting room for Town Council meetings due to damage to building

This will have limited impact as remote access meetings are a legal requirement and Town Council meetings can be held online until such time as the meeting room is available, or alternative identified.

5 Loss of Council documents due to fire, flood, theft or other causes

Business critical documents are held by the Town Clerk at home. Agendas and minutes are posted to the website. The electronic archive goes back to 2013. The hard copy archive of agendas and minutes back to when the Town Council was established in 1985 is held in the locked office store. While the risk to the historical archive is low consideration could be given to a fireproof storage system. Copies of approved policy documents are also held on the website.

6 Loss of Council electronic data due to corruption, fault or breakdown of hardware

The majority of business is undertaken on council owned laptops issued to the Town Clerk and Administrative Assistant. Agendas and minutes are passed between the two machines and when finalised posted to the website. The email account can be accessed from any device. Therefore if one machine goes down it should be possible to access all important information from the other. Cyber attacks are a daily occurrence and there is a need for constant vigilance to avoid the corruption or loss of data as the result of an attack. Security updates are regularly checked. Where a machine becomes corrupted as result of a virus it may need to be written off and replaced rather than repaired especially if it is several years old.

7 Loss of equipment due to theft, damage, fault or breakdown

In addition to the two laptops there is desktop IT equipment in the office. Any theft would be subject to an insurance claim. The desktop equipment is not business critical due to the migration to laptops as consequence of home working. There are no data risks as all information is stored on CCBC servers and access is protected.

There is sundry other equipment, including the MFP, held in the office and store which could be destroyed in a fire or stolen. All the main items are listed on the Asset Register and covered by the insurance. But there is no business critical equipment held in the office and store.

8 Event Cancellation due to unforeseen issues

The Town Council directly organises and manages two significant events, the Christmas Lights switch on, and the annual fireworks display at Caerphilly Castle. Normally as part of the planning process it will be determined whether the events will be happening in a particular year. As a result of the pandemic events were cancelled 2020 and 2021. Building works at the Castle have also led to the fireworks not going ahead in 2022 and 2023.

Circumstances can arise when a late decision is required as to whether a planned event should go ahead, most notably if there is adverse weather conditions, or other incidents that could give rise to risks to the general public. It will be for the Chief Steward (nominated Town Councillor) to make the call, as appropriate in consultation with the emergency services. As the events are free the question of refunds of entry fees does not arise.

Adopted September 2023

**Agenda Item 8.5**

**Report to Town Council 18 September 2023**

**Document Retention and Disposal Policy**

A report to the Town Council on 17July 2023 on The Finance and Governance Toolkit for Community and Town Councils – Health Check Action Plan Update had identified that a Document Retention and Disposal Policy was still outstanding. (Toolkit Reference D20). A Policy has now been prepared and is attached for consideration.

Recommendation

That the Document Retention and Disposal Policy is formally adopted and published on the website.

Phil Davy

Town Clerk

**Caerphilly Town Council**

**Document Retention and Disposal Policy**

**Introduction**

The Town Council accumulates a large amount of information in hard paper form or electronic form. File records are created and maintained and should be safeguarded. However information should only be retained where it is essential and for the correct amount of time. If documents are destroyed prematurely the Town Council could face prosecution for not complying with legislation and it could cause operational difficulties, reputational damage, and difficulty in defending any claim brought against the Town Council. Timely disposal should be undertaken particularly of personal information to comply with the General Data Protection Regulations. Periodic purge will help to manage the efficient use of limited storage space.

**Objectives of the Policy**

The purpose of the Policy is to determine which documents are:

* Retained – and for how long
* Disposed of – and by what method

There are some records that do not need to be kept such as catalogues, trade journals, electronic mail unrelated to council business, duplicated and superseded material.

**Document Disposal Protocol**

Documents should be reviewed in accordance with the following:

* Is retention required to fulfil statutory or other regulatory requirements
* Is retention required to meet the operational need of the service
* Is retention required to evidence events in the case of dispute
* Is retention required because the document or record is of historic interest or intrinsic value

Documents can be disposed of by:

* Non confidential records – place in waste paper bin
* Confidential records, including personal information – shred documents
* Deletion of computer records
* Transmission of records to County Archives

Records should be maintained of appropriate disposals and contain the following information:

* The name of the document destroyed
* The date the document was destroyed
* The method of disposal

**Data Protection Legislation**

The data protection acts require that personal information must not be retained longer

than is necessary for the purpose for which it was originally obtained. Personal information is data that relates to a living individual who can be identified form the data; or from those data and other information, which is the possession of, or is likely to come into the possession of the data controller.

The Town Council is responsible for ensuring compliance with the General Data Protection Regulations namely:

* Personal data is processed fairly and lawfully
* Personal data shall only be obtained for specific purposes
* Personal data shall be adequate, relevant, but not excessive
* Personal data shall be accurate and up to date
* Personal data shall not be kept longer than is necessary
* Personal data shall be processed in accordance with the rights of the data subject
* Personal data shall be kept secure

**Scanning of Documents**

In general once a document has been scanned on to a document image system the original becomes redundant. However original documents required for VAT and tax purposes need to be retained for six years.

**List of Documents**

The appendix lists Town Council documents retention periods and disposal methods.

Adopted September 2023

**Document Retention and Disposal Policy**

**Appendix: List of Documents for Retention or Disposal**

|  |  |  |
| --- | --- | --- |
| **DOCUMENT** | **RETENTION PERIOD** | **DISPOSAL** |
| Town Council Minutes | Statutory requirement to retain indefinitely  | Original signed paper copies of minutes of meetings must be kept indefinitely in safe storage  |
| Town Council Agendas | Retain copies with minutes | Hard copies kept with minutes in safe storage.Electronic archive on website since 2013 |
| Accident / Incident Reports | 20 years in case of potential claims | Shred as confidential waste. Maintain list of documents disposed of |
| Income and expenditure ledgers | Indefinite  | N/A |
| Remittance Advice Notes | 6 years for VAT purposes | Shred |
| Bank Statements including deposit accounts | Last completed audit year | Shred |
| Bank paying in books | Last completed audit year | Shred |
| Cheque book stubs | Last completed audit year | Shred |
| Quotations, tenders and expired contracts | 6 years to comply with Limitation Act 1980 (as amended) | Shred, and maintain list of documents disposed of |
| Paid invoices | 6 years to comply with VAT | Shred |
| Paid cheques | 6 years to comply with Limitation Act 1980 (as amended) | Shred |
| VAT records | 6 years to comply with VAT | Shred |
| Petty cash, postage and telephone records | 6 years to comply with tax, VAT, Limitation Act 1980 (as amended) | Shred |
| Payroll records | 12 years | Shred |
| Insurance policies | 12 months while valid | Bin |
| Insurance policy numbers and certificates | Indefinitely in case of claims | N/A |
| Investments, if appropriate | Indefinite  | N/A |
| Title deeds, leases | Indefinite, for Audit and Management | N/A |
| Members Allowances | 6 years to comply with tax and Limitation Act 1980 (as amended) | Shred and maintain list of documents disposed of |
| Information from other bodies CCBC, SLCC, WG | Retained for as long as relevant | Bin |
| Local historical information | Indefinite – including gifts and awards or records of general and local interest to Town Council Area | N/A |
| Magazines / Journals / Newsletters | Copies of own publications indefinitely.Other publications as long as useful | N/ABin if applicable |
| General correspondence  | Records should be kept for as long as they are needed for reference or accountability purposes to comply with regulatory requirements or to protect legal and other rights and interests | Shred and maintain list of documents disposed of |
| Correspondence relating to staff | 3 years after employment has ended for purpose of giving references, payment of tax, national insurance contributions and pensions and in respect of any related legal claims made against the council | Shred and maintain list of documents disposed of |
| Consultations on planning applications | 1 year | Bin |
| Local Development Plan | Retained as long as in force | Bin |

**Footnote**

Documents from legal matters, negligence and other torts.

Most legal proceedings are governed by the Limitation Act 1980 (as amended). The 1980 Act provides that legal claims may not be commenced after a specified period. Typically:

* Negligence 6 years
* Defamation 1 year
* Contract 6 years
* Leases 12 years
* Sums recoverable by 6 years

Statute

* Personal injury 3 years

All documents will need to be shredded after the retention period and a list maintained of the documents disposed of.

**Agenda Item 9**

**Report to Town Council – 18 September 2023**

**Planning Matters**

This is a list of all the planning applications received since the last Town Council meeting in July 2023. The applications were circulated to Members as soon as received from CCBC but no comments have been made on any of the applications. They are included on the agenda as confirmation of consultation by the Local Planning Authority. No further discussion is required as in most cases the deadline for any response has already passed.

**23/0472/FULL 7 Lon Fach, Caerphilly CF83 1BZ**

Erect rear single story extension with rear dormers, attic conversion and roof height to be altered.

**23/0481/HH 1 St Asaph’s Way, Watford, Caerphilly CF83 1EX**

Erect two storey side extension and single storey rear extension

**23/0461/HH 2 Mountain Road, Caerphilly CF83 1HJ**

Erect single storey side and rear extensions and roof dormer extension to rear

**23/0411/FULL Virginia Park Garage, Melville Terrace, Caerphilly CF83 3HE**

Erect 2 detached dwellings

**23/0499/HH 20 Heol Erw-y-rhos, Caerphilly CF83 3QX**

Erect two storey side extension and a single storey rear extension

**23/0516/ADV Ffos Caerffili, Park Lane, Caerphilly**

Erect illuminated and non illuminated signage associated with Ffos Caerffili

**23/0449/HH 72 St Christopher’s Drive, Caerphilly CF83 1 DE**

Erect replacement garage

**23/0524/HH 28 Celyn Avenue, Caerphilly CF83 3FL**

Erect single storey rear conservatory

**23/0521/HH 18 Heron’s Way, Caerphilly CF83 1SW**

Erect two storey rear extension

**23/0541/HH 15 Pen-yr-allt, Watford, Caerphilly CF83 1NP**

Change use of garage to living accommodation with associated works to include new window

**23/0493/HH 30 Bartlett Street, Caerphilly CF83 1JS**

Convert loft with dormers and erect garage to rear

**23/0646/RET Sunningdale, 244 Pontygwindy Road, Caerphilly CF83 3HY**

Retain and complete the erection of rear and side single storey extensions and internal alterations to property

**23/0550/HH 6 Clos-yr-arad, Caerphilly CF83 1TN**

Erect first floor extension over existing single storey bedroom and convert bedroom to garage

**23/0566/HH 203 Bedwas Road, Caerphilly CF83 3AR**

Relocation of two no car spaces

**23/0557/TPO Cilmeri, Rectory Close, Caerphilly CF83 1EQ**

Carry out various tree works (Tree Preservation Order 49/08/CCBC) – Copper Beech – Prune back not more than 3m over roof area to abate nuisance and crown reduction of not more than 3m all over including nuisance works

**23/0592/HH Llwyngog, 10 Heol Waun Fawr, Caerphilly CF83 1SA**

Convert garage to a bedroom with ensuite

**23/0606/COU 17 Broomfield Street, Caerphilly CF83 1FY**

Change the use from residential to HMO (C4)

**Agenda Item 10.1**

**Report to Town Council 18th September 2023**

**List of Payments**

|  |  |  |  |
| --- | --- | --- | --- |
| **Cheque No** | **Payee** | **In Respect of** | **Amount £** |
| Internet | BT | Broadband Service | 31.52 |
| Direct Debit | Sage Global Services Ltd | Payroll Software | 9.60 |
| Internet | CCBC | Flower Festival Flyer | 185.00 |
| Internet | HMRC | Income Tax & NI | 610.46 |
| Internet | Admin Assistant | Salary (July) | 427.49 |
| Internet | Town Clerk | Salary (July) | 797.88 |
| Direct Debit | NEST | Pension (July) | 31.17 |
| 304210 | Vanguard Centre | Grant | 400.00 |
| 304211 | Castle View Community Group | Grant | 250.00 |
| Debit Card | Microsoft 365 | Subscription Renewal | 59.99 |
| Internet | EE Ltd | Mobile Phone | 11.12 |
| Direct Debit | Sage Global Services Ltd | Payroll Software | 9.60 |
| Direct Debit | BT | Broadband Service | 31.52 |
| Internet | SSE | Energy, Christmas Lights | 469.36 |
| 304212 | P J Bevan | Twinning Gifts | 89.99 |
| Internet | HMRC | Income Tax & NI | 610.86 |
| Internet | Admin Assistant | Salary (August) | 427.49 |
| Internet | Town Clerk | Salary (August) | 797.48 |
| Internet | Megaday | Event Sponsorship | 4000.00 |
| Direct Debit | NEST | Pension (August) | 31.17 |
| Debit Card | Post Office Ltd | Stamps | 110.00 |
| Internet | J S Lee | Maintenance Floral Displays | 10252.80 |

It is recommended that Members note and approve the payments.

**Agenda Item 10.2**

**Report to Town Council 18th September 2023**

**Bank Account Balances**

Bank account balances as at 1st September 2023

 £

Community Direct Plus Account (current account) 100,224.93

Corporate Instant Deposit (operational reserves) 10,701.69

Corporate Instant Deposit (restricted reserves) 9,990.31

Members to note the information.

**Agenda Item 10.3**

**Report to Town Council 18 September 2023**

**Applications for Financial Assistance**

Budget 6000

 Commitment 2300

 Available 3700

Eisteddfod y Cymoedd

The application is for assistance with the running costs of the Valleys Eisteddfod which will be held on 20 October 2023 at the Gwyndy Campus of Ysgol Gyfun Cwm Rhymni. The event celebrates the Welsh language, culture and heritage. The event costs around £4000 and a grant of £400 is requested towards the costs of adjudicators, accompanists, prizes, and catering. The beneficiaries are stated as 150+ and in accordance with the policy a grant of £400 could be awarded. The financial assistance expenditure would be authorised under the Local Government Act 1972, section 145 (power to provide support to the arts including festivals). A grant of £400 was given to the event in 2022.

**Financial Assistance – Application Form**

**Name of Organisation**

Eisteddfod y Cymoedd

**Purpose or Activities of Organisation**

To hold an annual event which celebrates Welsh language, heritage and culture, showcasing talent from across the Caerphilly County Borough.

Website: [www.eisteddfodycymoedd.cymru](http://www.eisteddfodycymoedd.cymru)

Facebook: [www.facebook.com/EisteddfofyCymoedd/](http://www.facebook.com/EisteddfofyCymoedd/)

**Membership Fees**

None

**Present Financial Position**

The income and expenditure account for the event shows a surplus of £864 in 2022.

**Purpose for which assistance is required and estimates of costs**

To contribute to costs of adjudicators, accompanists, prizes, and catering - £400

**Agenda Item 11.1**

**Report to Town Council 18 September 2023**

**Correspondence**

Letter from Plaid Cymru Caerffili Branch is attached as a separate document.