



NEWARK TOWN COUNCIL

Town Hall, Market Place, Newark, Nottinghamshire, NG24 1DU

Tel: 01636 680 333 ~ Fax: 01636 680 350

Email: post@newark.gov.uk ~ Website: www.newark.gov.uk

FINANCE & GENERAL PURPOSES COMMITTEE

WEDNESDAY 8TH NOVEMBER 2017

Thursday 2nd November 2017

Dear Councillor

You are summonsed to attend a meeting of the Finance & General Purposes Committee at 7.30pm on Wednesday 8th November 2017. This meeting will be held in the Council Chamber at the Town Hall.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. C. Mellor'.

Alan Mellor
Town Clerk

FINANCE & GENERAL PURPOSES COMMITTEE

A G E N D A

- | | | | |
|-----------|--|-------------------------|----------------|
| 1 | Apologies for Absence | | |
| 2 | Minutes of the Finance & General Purposes Committee held on Wednesday 4th October 2017 | Minutes Attached | Page 5 |
| 3 | Matters Arising | Verbal | |
| 4 | Declarations of Interest from Members | Verbal | |
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Pre-Group Meetings

1	6.00pm	Conservative Group	Committee Room
2	7.00pm	Independents	Pickin Room
3	7.00pm	Labour Group	Old Robing Room

Committee Membership

Cllr D Lloyd (Chairman)
Cllr M G Cope (Vice Chairman)
Cllr Mrs C Barker-Powell
Cllr Mrs I Brown
Cllr M Cleasby
Cllr Mrs R Crowe
Cllr R A Crowe
Cllr Mrs G Dawn
Cllr P Duncan
Cllr Ms H Gent
Cllr S Haynes
Cllr K Girling
Cllr L Goff
Cllr D Hyde
Cllr D Jones
Cllr T Roberts MBE
Cllr M Skinner
Cllr R Williams



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Agenda Item No: 2

Committee Date: Wednesday 8th November 2017

FINANCE & GENERAL PURPOSES COMMITTEE MINUTES

Minutes of the Meeting of the Finance & General Purposes Committee held on Wednesday 4th October 2017 in the Council Chamber at the Town Hall.

Membership Present:	Councillor	D Lloyd (in the Chair)
	Councillors	M G Cope (Vice-Chairman) Mrs C Barker-Powell (Ap) Mrs I Brown M Cleasby Mrs R Crowe (Ap) R A Crowe (Ap) Mrs G Dawn P Duncan Ms H Gent (Ap) K Girling L Goff S Haynes D Hyde D Jones T Roberts MBE M Skinner R Williams
Apologies for Absence:	Councillors	Mrs C Barker-Powell, Mrs R Crowe, R A Crowe, Ms H Gent
Officers Present:	Town Clerk	Alan Mellor
Taking Notes:	PA to the Town Clerk	Helen Crossland
	There were no members of the public present.	
Venue:	Council Chamber, Town Hall	

FGP30/17/18 Minutes of the last meeting of the Finance & General Purposes Committee held on Wednesday 6th September 2017

The Minutes of the Finance & General Purposes Committee meeting held on Wednesday 6th September 2017 were **AGREED** as a true and accurate record and signed by the Chairman.

FGP31/17/18 Matters Arising

FGP26/17/18 – Cemetery Buildings

Cllr L Goff asked if there was any update on this item; the Town Clerk responded that there was nothing to report.

FGP32/17/18 Declarations of Interest

It was **AGREED** to accept any Declarations of Interest as and when they arose during the meeting.

FGP33/17/18 Payment Schedule 5/18

Members **AGREED** that payment in accordance with Payment Schedule 5/18 in the sum of £176,464.29 (one hundred and seventy six thousand, four hundred and sixty four pounds and 29p) be **APPROVED**.

FGP34/17/18 Street Collection Licences

Members **AGREED** to recommend to Newark & Sherwood District Council that the following application for a Street Collection Licence be **REFUSED** as they are outside of the area and do not meet the criteria:

- (i) Animal Defenders International Foundation on Saturday 21st October 2017.

FGP35/17/18 Voluntary Body/Community Events Grant Applications

Cllr K Girling began discussion on this item; he said it appeared that the same people apply for these grants each year/time and asked if there a way of letting smaller charities know about this fund.

Cllr T Roberts MBE noted that some of the larger local charities had professional fundraisers which perhaps meant that they had an advantage when applying for this grant. He suggested that perhaps a limit could be put on the number of times an organisation could request free use of the Town Hall over a number of years.

Cllr M Skinner pointed out that if this application were granted, there would be less than £400 remaining in this budget.

Cllr M Cope said that the money was put in the budget to support community events like this; once it was gone, it was gone.

The Town Clerk then asked Members if they would like him to submit a review of the current policy and application form, to include limiting the number of occasions a charity could apply and the provision of information on the anticipated income to be generated from the hire; this was **AGREED**.

Cllr K Girling then said it would also be useful to have an idea of 'how much' the various charities have had, possibly over the last 3 years, for instance.

Cllr T Roberts thought that maybe two or more charities could get together and hold 'joint' ventures.

Cllr M Cope suggested that the limit could be reduced.

Cllr Mrs I Brown talked about the method employed by N&SDC for charity collections, in that if 80% of the monies collected are not received by the charity, the collections are not allowed.

Cllr T Roberts MBE made the point that charities should not be relying on the Town Council as a funding source in this way.

Cllr D Lloyd said it would interesting to know how much the charities were hoping to raise, and much the costs actually were for their events that were held in the Town Hall.

The Town Clerk then asked Members if they would like him to submit a review of the current policy taking into account the above comments that various Councillors had made, this was **AGREED**.

Members then **AGREED** to grant the following application for free use of the Town Hall:

- (i) Free use of rooms on Saturday 2nd December for Newark Emmaus Trust to hold a Christmas Ceilidh. The cost of room hire is £479.17.

FGP36/17/18 Financial Out-Turn

Cllr K Girling said this report showed that Newark Town Council provided high quality services and made good things happen, with the amount of money that it had.

Cllr P Duncan pointed out that there had been a period of considerable change, and it had been handled extremely well.

Cllr G Dawn asked about the Newark Festival (figures given on page 47 of the Agenda); she said that she would like to see a report back to the Town Council on the Newark Festival so that Members could assess its impact.

The Town Clerk informed Members that the final account from the Festival held in June had not been finalised. It was **AGREED** that this should be on either the November or December Agenda for this Committee.

Members then **RECEIVED** and **APPROVED** the financial out turn for the period 1 April to 31 August 2017 as in the Agenda report.

FGP37/17/18 Final Accounts 2016/17 – External Audit

Members **NOTED** the approval of the Town Council's financial accounts for the 2016/17 financial year ended on 31st March 2017 by the external auditors.

An addendum to the Agenda report was circulated prior to the meeting, and there were no matters which the External Auditor required to be brought to Members attention.

After discussion regarding the additional information in the addendum pertaining to the Local Government Finance Settlement, Members **AGREED** to give delegated authority to the Town Clerk, in consultation with the Chairman of this Committee to submit representations opposing the extension of Referendum Principle to Parish Councils.

Meeting Closed:	8.15pm	Next Meeting:	Wednesday 8th November 2017
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FINANCE & GENERAL PURPOSES COMMITTEE

SUBJECT:	PAYMENT SCHEDULES
REPORT BY:	TOWN CLERK

1. Recommendations

1.1 Members to Approve the attached Payment Schedule 6/18.

2. Background

2.1 Payment Schedule 6/18 appended to this report.

3. Financial, Legal, Equality and Risk Issues

3.1 None.

Background Papers:	None
Lead Officer:	Alan Mellor Tel: 01636 684801 Email:

CHEQUES

ACCOUNTS FOR PAYMENT SCHEDULE 6/18

30.09.17

Voucher No	Payee	Cheque No	Budget Head	Total Amount
612	Petty Cash	18962	* TH Bar	£55.78
612		18962	TH Maintenance & Equipment	£35.66
612		18962	Brass Explosion	£66.87
612		18962	PC Materials	£53.74
612		18962	ENV Uniform	£26.04
612		18962	Civics	£0.49
612		18962	* Refreshments	£35.27
612		18962	Postage	£8.25
612		18962	Market Equipment	£31.22
612		18962	Cemetery Upkeep	£4.99
612		18962	TH Bookings	£2.50
612		18962	Travel/Subsistence	£35.10
612		18962	TH Uniform	£47.00
612		18962	Twinning	£48.45
613	Petty Cash	18963	Twinning	£200.00
614	Allen Mrs P	18964	Civics	£15.00
615	City of Lincoln Council	18965	Mayor's Allowance	£50.00
616	Watson Mrs J	18966	* Allotment Bond	£20.00
617	ICO	18967	Subscriptions	£35.00
618	Walters Cleaning Services	18968	TH Maintenance & Equipment	£115.20
619	Petty Cash	18969	Twinning	£200.00
620	Haynes RJ	18970	Market Promotions	£150.00
620	Haynes RJ	18970	* Recharges	£150.00
621	Hickling V	18971	* Allotment Bond	£20.00
621	Hickling V	18971	* Allotment Keys	£20.00
622	Bourne Mayors Ball	18972	Mayor's Allowance	£50.00
623	Richards D	18973	* Allotment Keys	£20.00
			Total	£1,496.56

AUTOPAY

ACCOUNTS FOR PAYMENT SCHEDULE 6/18

30.09.17

Voucher No	Payee	Budget Head	Total Amount
624	ADT	TH Contracts	£1,508.47
625	Ampman Services Ltd	TH Maintenance & Equipment	£1,005.57
626 - 627	Ann et Vin	* TH Bar	£224.00
628	A O Cumbernauld	Payroll	£10,080.14
629	Aquam Water Services	Market Water	£169.24
630	Argos	Market Equipment	£39.18
631	Bunzl	PC Materials	£302.64
632	Bunzl	TH Maintenance & Equipment	£71.28
633	Canon	Printing & Stationery	£599.22
634	Canon UK	Market Admin	£1,265.10
635	Carlton Brass	Brass Explosion	£375.00
636	CEF	TH Maintenance & Equipment	£77.76
637	County Signs	Cemetery Upkeep	£486.00
638	Creswell Sound & Vision	TH Maintenance & Equipment	£60.00
639	Curtain & blind Design	TH Maintenance & Equipment	£540.00
640	Decent Chaps	Brass Explosion	£450.00
641	Derry Building Services	Christmas Lights	£115.20
642	EE	Telephones	£89.42
643, 646 + 647	Farmstar	Mowers	£585.07
644 - 645	Farmstar	ENV Equipment & Tools	£60.61
648	Farmstar	Fuel - Mowers	£19.08
649	Feeling Peckish Outside Catering	* Refreshments	£120.00
650 - 651	Gatecare	Allotment Repairs & Maintenance	£154.80
652 - 654	GMS	TH Maintenance & Equipment	£689.89
655	Helliwell K	Travel	£7.20
656	Immediate Media Co	Museum	£108.00
657	Jones Maintenance	Pc Repairs & Maintenance	£382.20
658	Jones Maintenance	TH Maintenance & Equipment	£77.40
659	Jones Maintenance	P & O/S Repairs & Maintenance	£1,488.00
660	JWP Services	Cemetery Upkeep	£1,344.00
661 - 663	Lee Baron	TH R & R Fund	£57,494.27
664	Lidsters	* Cemetery Tablets	£244.87
665	Market Trade News	Market Promotions	£240.00
666 - 668	Marshall & Sons	P & O/S Repairs & Maintenance	£576.00
669	MEC recycling	Cemetery Upkeep	£15.00
670 - 675	Milvill	PC Materials	£1,133.58
676	Mole Country	Allotment Repairs & Maintenance	£6.26

676	Mole Country	Fuel - Mowers	£6.42
677	Moore Security	Cemetery Upkeep	£720.34
678	Neopost	Postage	£223.08
679	Newark Security Services	P & O/S Security	£697.50
680	Newark & Sherwood Locksmiths	PC Repairs & Maintenance	£96.00
681	Newark & Sherwood Locksmiths	P & O/S Repairs & Maintenance	£30.00
682	Notts Heritage Forum	Museum	£25.00
683	Newark Advertiser	Museum	£276.36
683	Newark Advertiser	Market Promotions	£555.40
684	Newark Advertiser	Newark in Bloom	£789.76
685	NSDC	Brass Explosion	£79.40
686	NSDC	TH Licences	£295.00
687 - 688	NSDC	Devolution Grant	£47,129.80
689	Newstead Brass Band	Brass Explosion	£560.00
690	Newark Town Band	Brass Explosion	£450.00
691 - 692	NALC	Training	£110.00
693	Notts CC	Payroll	£11,978.99
694	Nottinghamshire in Focus	Market Promotions	£540.00
695 - 696	NTC Pay Account	Payroll	£37,422.35
697 - 698	Petes Flowers	Civics	£130.00
697 - 698	Petes Flowers	* Recharges	£100.00
699	PGS Supplies Ltd	Market Promotions	£192.00
700	PHS Group	TH Maintenance & Equipment	£355.92
701 - 705	Reflect Recruitment	Payroll	£1,614.73
706	Saunders J	Payroll	£400.00
707	Screwfix	ENV Equipment & Tools	£49.99
708 - 709	SCS	Computers	£152.40
710	SSE	P & O/S Electricity	£54.44
711	Second Element	TH Maintenance & Equipment	£216.00
712	Shaw & Sons	Printing & Stationery	£89.92
713	Smith Electrical	TH Maintenance & Equipment	£96.00
714	South Lincs Clothing	TH Uniform	£17.99
715	South Lincs Clothing	PC Uniform	£32.99
716	South Lincs Clothing	Market Uniform	£29.99
717 - 719 +			
721	Staples	Printing & Stationery	£165.08
720	Staples	TH Maintenance & Equipment	£114.64
722	Tanvic	Mowers	£12.00
723	TC Harrison	Vehicle Running Costs	£53.65
724	Thoresby Colliery Band	Brass Explosion	£800.00
725	TMS Users	Postage	£600.00
726	Total Hygiene	Pc Repairs & Maintenance	£372.00
727 - 728	Viking Direct	Printing & Stationery	£52.82
729	Virgin Media	Telephones	£535.98

730 - 731	Virgin Media	Env Telephones	£94.37
732	Virgin Media	PC Telephones	£16.38
733 - 734	Watch it Security	Cemetery Upkeep	£1,447.20
735	Yeomans L	Travel	£22.40
736	Zurich	Insurance	£26.01
Total			£192,034.75

DIRECT DEBITS

ACCOUNTS FOR PAYMENT SCHEDULE 6/18

30.09.17

Voucher No	Payee	Budget Head	Total Amount
737	BOC	TH Bar	£76.74
738	Booker	Civics	£54.52
739	Booker	* TH Bar	£192.78
740 - 741	BT	Telephones	£204.48
742 - 746	BT	ENV Telephones	£422.28
747	BT	PC Telephones	£357.17
748	Crown Gas	TH Gas	£858.99
749	Edgars Water	* Refreshments	£129.75
750	Lex Autolease	Civic Car	£274.00
751	Natwest Cards	Travel	£104.50
752	Natwest Cards	Office Equipment	£175.50
752	Natwest Cards	Postage	£48.74
752	Natwest Cards	Vehicle Running Costs	£40.00
752	Natwest Cards	Museum	£95.88
752	Natwest Cards	Street Furniture	£13.99
752	Natwest Cards	TH Maintenance & Equipment	£9.99
752	Natwest Cards	ENV Tools & Equipment	£43.80
752	Natwest Cards	Computers	£27.99
753	NSDC Rates	Rates	£8,549.00
754	Safety Measures	Health & Safety	£88.80
755	STWA	ENV Water	£6.42
756 + 758	SSE	ENV Electricity	£70.37
757	SSE	TH Electricity	£744.81
759 - 760	SSE	PC Electricity	£1,333.41
761 - 762	UK Fuels	Civic Car	£35.18
763 - 766	UK Fuels	Vehicle Running Costs	£212.05
765 - 766	UK Fuels	Fuel - Mowers	£193.86
767	WaterPlus	ENV Water	£45.79
768	Worldpay	Bank Charges	£79.78

Total £14,490.57

Grand Total £208,021.88

*** Recharges**

Note. PC (Public Convenience) costs covered by Agency
Reflects full or part recharge

FINANCE & GENERAL PURPOSES COMMITTEE

SUBJECT:	VOLUNTARY BODY/COMMUNITY EVENTS GRANT APPLICATIONS
REPORT BY:	TOWN CLERK

1. Recommendations

1.1 Members are asked to consider:

- (i) The proposed changes to the Voluntary Body Grants policy and application form

2. Background

2.1 The Town Council’s current approved guidelines for Voluntary Body Grants are attached at Appendix 1.

At the last meeting of this Committee it was agreed that a further report be submitted so that Members could review this policy and the associated application form.

In particular Members wished to consider the number of applications that any one organisation could submit over a given period of time. Also to review the application form to obtain information on the likely level of income that an organisation was expecting to raise by holding an event at the Town Hall.

The Town Council’s policy with regard to awarding grants to Voluntary Organisations was last reviewed in April 2016, when they were linked specifically to the hire of rooms in the Town Hall. Since that policy was introduced applications submitted have fallen into two main categories:

- (i) Charitable Fund Raising events
- (ii) Non-fund Raising events supporting the organisation

2.2 An analysis of the grants awarded so far this year and for the last two financial years is set out below:

	Charitable Events	Other Events
2015/16 Budget £4,080		
Home Start Newark	£173	
Newark Family of Churches		£188
TOTAL: £361		

2016/17 Budget £6,000

Newark Sea Cadets		£173
Collingham & District Local History Society		£230
Palace Singers	£115	
1260 Squadron Newark & District Air Cadets		£431
St Mary's Parish Church		£168
Newark Family of Schools		£375
1260 Squadron Newark & District Air Cadets		£335
Newark Town Band		£383
Newark Book Festival		£496
TOTAL: £2,706		

2017/18 Budget £2,500

Newark & Sherwood Concert Band		£479
Wolfit Endowment Trust		£439
Newark Community First Aid	£250	
Hope House School		£460
Newark Emmaus Trust	£479	
TOTAL: £2,107		

TOTAL ALL YEARS: £1,017 £4,157

- 2.3 As Members will see from the above analysis the majority of Room Hire Grants have been awarded are for non-fundraising events.
- Whilst Members will also see that there has been only one instance whereby the same organisation has been awarded two grants over the last three years; it may be correct that organisations 'in the know' are those that have received most benefit from the scheme.
- 2.4 Taking account of the comments made by Members at the last meeting of this Committee some proposed changes to the Application Form and associated Guidance Notes are attached at Appendix 1, the changes are shown in **RED**.
- 2.5 *At present there is only limited advertising or promotion of the scheme. Clearly the opportunity exists to increase this and make it more widely known to the Charitable & Voluntary sector in Newark. However if this leads to any significant increase in grant applications I would suggest that Members need to consider increasing the budget from the current figure of £2,500. As Members are aware this figure has nearly been fully committed already in this financial year.*

3. Financial Legal, Equality & Risk Issues

3.1 Contained in the report

Background Papers:	None.
Lead Officer:	Alan Mellor Tel: 01636 684801 Email: alan.mellor@newark.gov.uk

NEWARK TOWN COUNCIL

APPLICATION FOR VOLUNTARY BODY GRANT

Guidelines

The following principles and guidelines have been established by Newark Town Council to assist in the consideration and determination of grant applications. Whilst these principles will act as a general guide they are not definitive and applicants of particular worthiness may be considered on individual merit outside these criteria.

The Aim of the Scheme

The Town Council is providing funding to support the work of Voluntary Bodies & Charities that provide services, support and activities to the community of Newark. The grant can be used for free or discounted hire of the function rooms within the Town Hall.

The hire of rooms can cover a wide range of activities covering; charity, cultural, community and sports events.

The primary aim of the scheme is to encourage organisations to utilise the community facilities which are provided in the Town Hall and to support or promote self-help within organisations that may apply.

Funding Available

Newark Town Council has a maximum fund of £2,500 available, during the 2017/18 financial year, to support Voluntary Bodies.

Maximum funding for any one application is normally £500. Applications for grants in excess of this sum may be considered subject to the overall budget limit.

Applications will be considered throughout the year on a 'first come first served basis'.

Eligibility

Applications will be considered from; Community Groups, Charities, Voluntary Bodies, and Sports Clubs.

Applicants must either be located within the Newark Town boundary or the scheme which is the subject of the application must have a focus or be targeted on the community living in Newark.

Preference will be given to locally based organisations serving local needs over national organisations providing services over a wider geographic area than Newark.

Applications are only invited for the use of the facilities available within the Town Hall. **They can be for either Fund Raising or Non-Fund Raising Events.**

An individual organisation will only be eligible to apply for one event in any two year period.

The Town Council will consider 'one off' bookings as well as regular or block bookings.

All applicants must complete an official Voluntary Body Grant Application Form before it will be considered by the Town Council.

All applications **must** be accompanied by a copy of the organisations most recent audited accounts or a signed statement on the current financial position of the organisation.

The Application Process

Applications will generally be considered by the Town Council's Finance and General Purposes Committee.

The enclosed application form is to be completed and submitted with any request for financial assistance to Mrs Karen Wood, Newark Town Council, Town Hall, Newark, Notts, NG24 1DU.

Newark Town Council

Voluntary Body Grant Application Form

Please refer to the separate guidance document when completing this form

1. Applicants Details	
Name of Organisation/Group	
Applicant's Name	
What is the applicant's position in the organisation/community group?	
Contact Name	
Contact Address	
Contact Tel No	
Email address	
2. Scheme/Project Description	
Description & Objectives	
Is the application for a:	
Fund Raising Event : YES/NO	
If yes what is the beneficiary organisation:	
Please include an explanation of the purpose for which the application is made	

--

Give details of any other funders approached and their responses

--

Please detail any additional information regarding your organisation and its aims which you may feel will assist the Town Council in considering this application.

--

Please provide details of the rooms required within the Town Hall together with dates and times of the event

Room(s) required	Date(s) required	Time(s) required

3. Costs

How much money do you wish to apply for in grant aid (maximum £500), please contact the Town Council (see accompanying Grant Guidelines)

HIRE DESCRIPTION	COST
1.	
2.	
3.	
4.	
5.	
6.	

More:

What is the anticipated total cost of your scheme?

4. Outputs and Outcomes

Outputs

Please explain the following about your scheme

(a) How will it contribute and/or support the community of Newark?

(b) Who is it open to?

(c) How many participants do you anticipate will take part?

(d) If your event is to raise funds, how much money do you expect to achieve?

Outcomes

What other benefits will be achieved from this scheme?

Declaration

To the best of my knowledge, the information supplied on this form is correct and complete.

Signed

Name and Position

Date

All applications **must** be accompanied by a copy of the organisations most recent audited accounts or a signed statement on the current financial position of the organisation.

FINANCE & GENERAL PURPOSES COMMITTEE

SUBJECT:	MARKET OPERATIONS
REPORT BY:	TOWN CLERK

1. Recommendations

Members are asked to consider:

- (i) To note the changes made to the layout of the stalls in the Market Place and confirm the proposal to keep the shop frontage area to the North/East free from stalls apart from special events,
- (ii) Approve the operational changes made to the handling of litter and waste from the Market,
- (iii) Approve the submission of a Planning Application for the use of land on Church Walk (adjacent to the side entrance to St. Mary’s Church) as a compound for the storage of waste bins,
- (iv) Approve the installation of 11 Bollards around the perimeter of the Market Place,
- (v) Note the Market performance for the first half of the financial year,
- (vi) Note the update on Special events and proposals for events in 2018.

2. Background

2.1 Following the March Committee meeting, Members will be aware that the transfer of the Market Manager and two Town Centre Officers was made in April 2017.

This report updates Members on the various initiatives taken since then and also examine the current performance of the market at the first half year stage since the whole market operation and management came directly under the control of the Town Council and its staff.

2.2 Members also agreed at the April committee, in the pursuit of operational efficiencies and improvement, to seek to establish an alternative arrangement to the “pop up” stalls and also the cleaning of the market and disposal of packaging and general waste.

3. Stall provision and layout

3.1 The contract for the erection and dismantling of the ‘pop up’ stalls was terminated in May 2017 and a further 38 semi-permanent stalls were installed, giving a total of 101 stalls for the market. In addition, in October 2017 the remaining contract to change stall boards according to each market requirement was terminated.

3.2 Along with the introduction of the new stalls, the catering and meat traders were moved away from the frontage of the shops to the north-east of the market place and moved to within the main mass of the market, next to the 240v electricity hubs that were installed in 2016. The North-East part of the market place will now remain free of stalls and pitches, apart from occasional use at special events.

There had previously been concerns and complaints from shops in that area regarding the catering and food units blocking their frontages. In addition, it is suggested that the movement of these units has increased footfall in the middle of the market which was previously an unpopular area for trading.

3. Market Cleansing and additional Market Assistants

3.1 Further to the April Committee recommendations, the Cleansing SLA with the District Council was terminated at the end of October 2017

3.2 Whilst this service has been provided entirely satisfactorily over the last two years the introduction of the town centre sweeping trial project has demonstrated that the traditional 'hand cleaning' still has a role to play in keeping the town centre as free from litter as possible during the day, prior to the mechanical sweeping that takes place every evening.

3.3 Two additional "Market Assistant" employees have now been employed with a combined role to both keep the Market Place free from litter throughout the day, to collect all clean recyclable packaging and general waste for collection by a commercial company and also to prepare the Market Stalls for the next days' traders.

This has the added benefit of introducing a much higher level of overall capacity within the markets section and increase the resilience of the service; providing cover for holidays & sickness etc.

The District Council were invited to submit a proposal for the collection and disposal but on this occasion, have declined to do so as they are at present unable to provide a suitable proposal for collection of recyclable cardboard.

3.4 Following further informal discussions with the District Council, the Town Council employees will carry out litter picking throughout the day for the whole of the market place, with the District Council, who have the statutory responsibility for street cleaning, using a mechanical sweeper early evening to remove any remaining litter and detritus from the roads surrounding the Market Place.

3.5 A contract for the collection of both recyclable cardboard etc. (which accounts for the vast majority of the market waste) has been agreed with a commercial supplier and 1100 litre bins will be used and stored for collection at the rear of the market office until such time as the portion of land adjacent to the church is adapted as a suitable storage area. Nottinghamshire County Council with the support and assistance of local County Council Members has agreed, in principle, to transfer this area of land to the Town Council. A suitable scheme and planning application will be compiled to provide an aesthetic design in keeping with the Grade 1 listed Parish Church and the high sensitivity of the site.

In addition to the lower operational costs and improved levels of cleanliness throughout the whole of the market day, there will also be significant sustainability benefits as some 70% of all market waste will go for recycling rather than landfill.

A further potential benefit will be explored whereby at least some of the other bins that are commonly visible on the market place can be moved to within the new bin store.

4. Bollards

To minimise the unauthorised vehicular access onto and through the market place, an order has been placed for 11 demountable bollards to be placed at various points around the market. This work will be completed by December 2017. The

bollards will be painted in the Town Council's corporate colour.

See attached site plan at Appendix 1 for the location of the bollards.

The estimated cost will be around £6,000, this will be met from the Market Place Reserve Fund.

5. Market Stall covers and banners

- 5.1 All licensed traders will be provided with, and required to display, branded name and product banners and where possible, skirts to their stalls along with side sheets. This is aimed at giving a consistent and aesthetically improved market environment to further assist with the attraction of footfall and add to the town centre visitor experience.

Quotations have been received from three suppliers which are being assessed with a view to an order being placed so that they can be introduced before the Christmas Markets in December.

The cost is expected to be less than £10,000 and has been included in the Market Place Reserve Funds estimates for the current year.

6. Operational Performance

- 6.1 The following table shows monthly income comparison with 2016/17 for each market for the first six months of the year:

Weekly Average	Monday £	Wed £	Thursday £	Friday £	Saturday £	Specials £
April 2016	481	1,437	386	650	1,536	
April 2017	431	1,400	282	659	1,569	
May 2016	510	1,406	402	707	1,779	
May 2017	372	1,320	272	676	1,604	
June 2016	417	1,286	333	709	1,680	
June 2017	372	1,412	231	720	1,516	
July 2016	480	1,630	372	737	1,696	
July 2017	481	1,399	257	713	1,498	
August 2016	446	1,610	288	625	1,638	
August 2017	419	1,541	289	646	1,510	
Sept. 2016	400	1,664	289	588	1,271	
Sept. 2017	298	1,307	309	590	1,371	
Actual To Date 2016	10,439	39,033	9,195	18,006	41,638	13,814
Actual To Date 2017	8,395	34,125	7,095	18,187	40,618	13,353

- 6.2 The trading environment has continued to be challenging with traders reporting an apparent further tightening of town centre footfall midweek. Saturday footfall remains the strongest day. There appears to be an increasing trend towards compression of busiest times between 11am and 2.30pm.
- 6.3 Competition from other retail sectors has remained high and whilst supermarket sales have not increased nationally, locally another significant supermarket has opened and on-line sales in the UK in September 2017 showed an increase of 14% compared with September 2016. On line sales now accounts for 17% of all retail spending in the country.
- 6.4 It is thought that ongoing restricted and slow access into the town centre and resultant congestion could be increasingly impacting on footfall. Whilst no objective data currently exists, market traders and other retailers in the town have reported reduced footfall, especially mid-week and there appears to be some change in shopping behaviour to avoid most congested times; with people arriving to shop later and leaving the town earlier. Accidents on the major road network around Newark continue to cause significant congestion on the local road network and overall there is some subjective evidence to suggest that some people are seeking alternative shopping venues to avoid the congestion.
- 6.5 Since April 2017 the market has lost 5 of long standing traders through retirement, family and relocation. This resulted in a loss of £422 per week. In response the market has been able to gain 11 new regular casual and 3 new licensed traders with an income including discounted introductory rates, of £599 per week. The number of occasional casual traders has continued however to decline as is the case nationally, with many retiring market traders not being replaced.

7.0 Special events and initiatives

- 7.1 Good footfall is essential for the viability of all markets and town centres and providing attraction, diversity and a visitor experience in Newark is increasingly important notwithstanding the significant heritage and independent shop offer the town already provides. In the past 6 months in addition to increased provision of music and street entertainment on market days, special events in the Market Place have included:
- Spring Fayre and Civil War re-enactments
 - Newark Festival Market
 - Newark Armed Forces Day
 - Carers Market
 - Newark Book Festival
 - Newark Traditions Festival
 - Tour of Britain Junior Race evening
- 7.2 Future Market events in 2017 include the annual Christmas Lights Switch On and the Christmas Market and Winter Feast on December 10th with additional “Seasonal Sundays” on the 3rd and 17th December including a Traditional Christmas Craft Market on the 17th December. In 2018, a similar number of such events is planned and confirmation has been received of the Book Festival and the Newark Traditions Festival that these will be of greater size with more activity than 2017. During the “festival” weekend it is intended that a food and drink festival

market will be provided along Stodman Street.

- 7.3 The Markets Manager has also undertaken some partnership work with a local craft retailer to facilitate more craft events and attract additional specialist craft traders. To date this has included the craft market at the Junior Cycle race evening and the proposed Christmas Craft Market; a programme of further specialist craft events for 2018 are being compiled.
- 7.4 Given the difficulty in attracting younger traders to the market a partnership initiative has been formed with “Community Giants”; a social enterprise based in Leicester that is dedicated to assisting socially and economically disadvantaged young adults to train and build their own self-employment. This has produced a significant number of young market traders in Leicester. In partnership with “Community Giants” we will provide a “Caribbean Cook Out” street event in Newark over the May Bank Holiday in 2018 and it is intended that the support and nurturing mechanism that is provided in Leicester will also then be applied and grown in the Newark area.
- 7.5 Currently some fruit and vegetable traders supply local food outlets including cafes and restaurants in the town centre. A scheme has been arranged whereby all local food outlets have been invited to participate whereby they agree the order and price with any fruit and veg, bread, meat and fish trader on the market and the two new Markets Assistants will provide the local deliveries on the required day. It is hoped that this will provide further business to the market and importantly also provide a sustainable and competitive local supply to the town centre retailers. This may also assist with minimising delivery traffic in the town centre.

8.0 European Juggling Convention

- 8.1 The Markets Manager has been in discussions with the organiser of the European Juggling Convention (EJC) which is a large event, (the largest juggling festival in the world), that takes place in Europe each year and involves some 3,000 participants including jugglers, unicyclists and other street entertainers. The organisers have agreed that Newark will be its venue in 2019 and the Newark Showground has been booked from 3/08 to 11/08/19 as the base where participants will camp and carryout workshops and shows throughout the week
- 8.2 Importantly, it is customary for the event to parade into the host city or town and perform a celebratory “thankyou” show to the local community. The meetings to date have agreed in principle, and subject to Committee approval, that a large parade will form on the Riverside Park on Sunday 4/8/19 and move into the town centre, up Stodman Street and into the Market Place where an afternoon event will take place followed by a “fire show” in the evening at the Riverside Park, Castle or indeed in the Market Place. It is emphasised that this is a large event which will bring some 4,000 people from around Europe into Newark for the week.

The EJC organisers have asked whether any financial or logistical support could be offered by the Town Council to support the market place event and /or evening fire show. The Markets Manager has requested further details of staging costs for the day and has identified a number of items where the Town Council could assist with minimal additional resource and these include applications for and management of required road closures, compilation of emergency plans, waste and cleansing, promotion, barrier provision, first aid and lost children points etc. The participants would be transported to the town centre by a series of buses provided by the EJC. Fee paying food concessions for both events would be managed by the Town Council Markets Team.

9. Financial, Legal, Equality and Risk Issues

The termination of NSDC cleansing and the stall board change contracts offset by the employment of two additional market assistants and use of a private waste recycling provider will reduce the annual market operational costs by around £60,000 per year. This will be reflected in the Town Council's revised estimates when they are considered next year.

Background Papers:	Market & Personnel working files.
Lead Officer:	Alan Mellor – Town Clerk Tel: 01636 684801 Email: alan.mellor@newark.gov.uk

FINANCE AND GENERAL PURPOSES COMMITTEE

SUBJECT:	EVENTS UPDATE
REPORT BY:	TOWN CLERK

1. Recommendations

1.1 Members are asked to :

- (i) Consider supporting the 2018 Armed Forces day event in the Market Place along with the possible visitors from Emmendingen,
- (ii) Receive the report on the Newark Festival 2017,
- (iii) Receive the report on the Newark Festival 2018,
- (iv) Receive the report on the Christmas Lights Switch On event.

2. Armed Forces Day

2.1 On Sunday 25th June 2017 the annual Armed Forces Day event was held, for the first time, in the Market Place. The organisation of the event was a collaboration between the Town Council and the Newark Armed Forces Day group who have historically staged an event in Newark at various locations around the town over many years.

The Town Council provided support to plan, organise and manage the event on the day. It comprised a formal parade of military groups, both serving and retired. A craft and military memorabilia market along with a number of military displays and entertainment. All the direct expenditure incurred by the Town Council was funded from two grants that were received from the National Armed Forces Day fund and the District Council. The Town Council's contribution was limited to the 'in kind' cost of officers' time.

The feedback from the days' event was largely very positive. It attracted a reasonable number of people. The Armed forces Day group were very pleased with the outcome. They have since met with your officers and they would like to repeat the event in the Market Place next year.

2.2 The preferred date is Sunday 24th June which is the week after the Newark Festival and the week before the National Armed Forces Day events taking place the following weekend.

At this stage there is no information available on external grant funding regimes that may be available to support such events. The event cannot be staged without incurring some real expenditure, in addition to the input of officer time to support the organisation and management of the event.

If Members wish to continue supporting the event then further work will be undertaken to identify possible funding streams that will assist in facilitating it.

In addition the wine growers and Stadt Band from Emmendingen, our twin town in Germany, have expressed an interest in coming to Newark next year. Initial discussions have identified the same weekend as the Armed Forces Day as the preferred option. The Armed Forces Day Group are aware of the possible visit and are happy for them to be included within the event in the Market Place.

Members are asked to consider supporting the 2018 Armed Forces day event in the Market Place along with the possible visitors from Emmendingen.

- 2.3 A decision whether or not to hold this event needs to be made now in order that the necessary planning and promotion can be undertaken over the next few months.

At this stage there is no confirmed funding to facilitate it. Whilst the majority of the Town Council's commitment can be viewed as 'In Kind' support through officer's time etc. the event will require some actual expenditure which the Town Council needs to be aware of if no external financial support can be obtained.

3. Newark Festival 2017

- 3.1 This year's was held over the hottest weekend of the summer which was a nice change but also resulted in some new challenges, to keep people well hydrated and in shade if required, particularly on the Sunday.

The changes which were made to the layout of the site worked very well; the relocation of the stage provided much improved sight lines and access to toilets, bars and food outlets was much better. The new position of the Premier Ticket and Sponsors area was also a big improvement, the positive feedback suggests that the problems experienced in 2016 were fully overcome.

The attendance on Friday night was similar to the previous at just over 1,000, the Saturday attendance at just under 4,500 was slightly down.

The lower attendances resulted in an increase in the financial deficit. Members will be aware that under the Town Council's agreement with LHG Ltd. the financial risk associated with ticket sales is borne by LHG. In addition to the lower income generated there was an increase in expenditure arising from the investment in the infrastructure introduced onto the site to improve the facilities for the audiences.

The Free Sunday event wasn't as well attended as in previous years. This, in part, may have been due to extreme hot weather that was experienced on the day. The entertainment was very well received from the audiences who did attend. There are some concerns about the promotion of the Free Sunday which will be reviewed in the run up to the 2018 Festival.

Apart from the disappointing financial outcome, from my perspective I think it was the best Festival that has been staged so far. There were almost no complaints about the weekend and many complimentary messages. The site dynamics worked a lot better with all the food and bar concessions also operating extremely well.

4. Newark Festival 2018

- 4.1 Plans for the 2018 Newark Festival are well advanced, the line-up for Friday & Saturday nights are nearly complete and will be announced no later than the Christmas lights Switch On event on Sunday 26th November.

The planned format will be similar to this year with a Tribute Night on Friday, a 1980's theme for Saturday and then the Free Sunday Family style entertainment.

- 4.2 LHG have reported that there has been an encouraging response from this year's sponsors; many have re-confirmed their support for next year. In addition it is hoped that additional new sponsors can be attracted to come on board.

- 4.2 The 2018 Festival will be the final one under the current contract with LHG. Early discussions have been held to review the current arrangements and a report will be submitted to this Committee next year to consider the Newark Festival from 2019 onwards.

5. Christmas Lights and Switch On Event

- 5.1 Last year's event attracted a record attendance since it has been held in its current format.

Whilst it is not easy to accurately assess the number of people who attended I would suggest that

it was in excess of 5,000.

This year's event will take place on Sunday 26th November starting at 11.00am and finishing around 5.00pm.

The format will be similar to previous years with a mix of local and national entertainers, timings may still be subject to change but at the moment the line-up is as follows:

- 11.00 -11.30 School Choirs
- 11.40 – 12.10 Newark Town Band
- 12.20 – 12.40 School Choirs
- 12.50 – 12.55 Dance Mania
- 13.00 – 13.20 Don't Forget Rupert
- 13.35 – 13.40 Dance Mania
- 13.50 – 14.10 Rock Choir
- 14.20 – 14.50 Govannen
- 15.00 – 15.25 Okiem
- 15.35 – 16.05 Uncovered
- 16.20 – 16.40 X Factor Contestant (to be announced)
- 16.45 Fireworks

- 5.2 In addition there will be the traditional Charity and Craft market and Fairground rides.
- 5.3 Haart's estate agents have once again kindly supported the event through the printing and distribution of flyers that will be delivered to all houses in and around Newark.

Apart from a promotional article in the Newark Advertiser no further promotion will be undertaken; this is keep the size of the crowd at manageable levels, particularly towards the end of the event.

6. Finance, Legal, Equality & Risk Issues

- 6.1 Contained in the report.

Background Papers:	Events working files.
Lead Officer:	Alan Mellor 01636 684801 alan.mellor@newark.gov.uk

FINANCE AND GENERAL PURPOSES COMMITTEE

SUBJECT:	WW1 100th ANNIVERSARY COMMEMORATION
REPORT BY:	TOWN CLERK

1. Recommendations

1.1 Members are asked to consider:

- (i) The possible re-location of the Memorial to the Fallen from Newark Cemetery to St Mary's Church grounds,
- (ii) Subject to (i) above request the Town Clerk to formally consult with the Royal British Legion and other organisations associated with the armed forces on the proposal,
- (iii) A possible 'Poppy Trail' on sites around the town.

2. Background2.1 Members will be aware that 2018 will be the 100th anniversary of the end of World War 1. This is an anniversary of great significance which will, no doubt, be commemorated at a national level and in many communities across the country.

This report is submitted for Members to consider possible ways in which the Town Council can recognise this anniversary within the town.

3. War Memorial

3.1 The Town Council erected the current 'Memorial to the Fallen' in Newark Cemetery in 2007. It is appreciated that the location of such memorials can be a sensitive issue for many people and the current location has been accepted since 2007 without any criticism or comment to my knowledge.

In recent years the annual Remembrance Day Service held around the stone 'War Memorial' at the rear of St Mary's Church, has been attended by an increasing number of people. It is the main event for people to take part in this national day of Remembrance and attracts a wide range of people from Newark and the surrounding communities.

Members are invited to consider the possible relocation of the 'Memorial to the Fallen' from the cemetery to the memorial garden to the rear of St. Mary's Church on Appleton Gate. This would bring the memorial into the centre of the town, make it more accessible to a larger number of people and it would be sited in the location where the main Remembrance service is held in November each year.

3.2 At this stage no formal consultation has been held with those individuals and organisations that would have an interest in the Memorial has been undertaken. However prior to bringing this report before Members I have spoken informally with some key organisations.

The Vicar at St Mary's has no objection, in principle, to the proposal but there is, no doubt, a formal process that would need to be followed to obtain permission from the Church and/or other parts of the church hierarchy.

Some research may also be required to establish what, if anything, lies beneath the ground

within the garden area.

I have also spoken informally with some representatives of the armed forces community in Newark about the concept and that initial reaction has also been positive.

If Members wish to take the suggestion forward then I would suggest that the Town Council consults formally with those organisations such as Royal British Legion who will have an interest in the location of the memorial.

- 3.3 No technical assessment has been undertaken concerning the removal of the memorial from its current location or is re-siting in the Church grounds.

If Members wish to take the project forward then professional support would be required to assess its feasibility.

- 3.4 At this stage no estimates have been obtained for the relocation as described above, however the original cost in 2006 was some £30,000. This was over 10 years ago so I would anticipate that that cost of such a project could be in the thousands of pounds.

4. Poppy Trail

- 4.1 Another possible project that is submitted for consideration is to create a 'Poppy Trail' around the town. This could include a number of sites owned by the Town Council and possibly other sites that are in public ownership and/or visible to the general public.

It is understood that the District Council also considered this as a possible project in 2014, to coincide with the anniversary of the start of World War 1. The District Council's Parks Business Manager has been contacted to be involved in the assessment of possible sites that could be used for such an initiative.

- 4.2 Time is of the essence as far as this project is concerned as poppy seeds would need to be planted before February 2018 if any flowers are to be seen in the summer.

Poppy flowers are very good at self-setting so any site would need to be given careful consideration to ensure that any natural spreading can be accommodated.

- 4.3 I understand that the Town Mayor is keen to support such an initiative and is hoping to work with local schools to create a 'Ribbon of Poppies' which is a national project being supported by Scouts and Guides, its aim is to create a carpet of crimson from Land's End to John O'Groats to remember all those killed or wounded in the war.

5. Financial Legal, Equality & Risk Issues

- 5.1 At the time of writing this report the revenue estimates for the 2018/19 financial year have yet to be considered. If Members wish to proceed with either of the proposed ideas then a recommendation to the Full Town Council asking for a commitment to include the necessary budgetary provision in next years' estimates will be required.

Background Papers:	None
Lead Officer:	Alan Mellor Tel: 01636 684801 Email: alan.mellor@newark.gov.uk

FINANCE AND GENERAL PURPOSES COMMITTEE

SUBJECT:	PWLB LOANS
REPORT BY:	TOWN CLERK

1. Recommendations

1.1. Members are asked to consider:

- (i) Funding the capital projects for the New Leisure Centre, Sports Hub and Town Hall renovation by way of borrowing from the PWLB,
- (ii) Subject to the decision at (i) above to recommend to the full Town Council that permission is sought to take out PWLB loans up to an agreed value,
- (iii) Subject to (i) & (ii) above instruct the Town Clerk to submit the necessary applications to obtain the borrowing approvals.

2. Background

2.1 Parish Councils are able to borrow money from the Government in order to finance capital projects through the United Kingdom Debt Management Office, this is historically and commonly known as the Public Works Loan Board (PWLB).

There is a process to follow for Parish Councils who wish to take advantage of this source of funds.

2.2 The Town Council currently has no outstanding PWLB loans; the previous loans totalling just over £288,000 were repaid in 2013, following the sale of land at Bowbridge Road to the District Council.

Since that date any capital expenditure incurred by the Town Council has been funded from either capital receipts or reserve funds.

2.3 In this financial year the Town Council has paid the final instalment of the £500,000 contribution to the new Leisure Centre built by the District Council on Bowbridge Road. The approved estimates also include a further total sum of £500,000 contribution to the planned Sports Hub project and the provision of replacement cricket facilities at Kelham Road.

Both of these contributions represent valid 'Capital' expenditure supporting the provision of assets within the town. The Town Council has previously agreed that they be met from Capital Receipts.

The approved estimates for 2017/18 included an estimated balance of Capital Receipts of just over £570,000 by the end of March 2018. This presumed that both the above contributions would have paid in full by that time.

2.4 In addition the major project to renovate the Town Hall has been undertaken this financial year, the Town Council's contribution to these works will be in the region of £300,000. The cost of these works has been agreed to be met from the Town Hall Repair Reserve Fund with the residual balance from Capital Receipts.

2.5 As these contributions represent Capital expenditure they could also be financed by way of borrowing from the PWLB.

This possible option has a number of advantages that Members may wish to consider:

- (i) Interest Rates remain at historically low levels, the current PWLB rates range from just under 2% for loans up to 10 years up to 3% for loans of 50 years.
- (ii) The Town Council has a number of other potential capital projects which may need to be funded over the next few years, including the ongoing Town Hall works and further extensions and/or new site for the cemetery. The preservation of Capital Receipts for these projects would represent a sensible financial position that would support the longer term plans of the Town Council.

2.6 For this type of capital expenditure I would suggest that a 30 year loan would be a reasonable period. The first years' repayment for each £500,000 borrowed is £25,150. If all the projects mentioned above were to be funded through a PWLB loan then this would add £65,390 to the Town Council's revenue expenditure in the first full financial year.

2.7 Members will appreciate that this additional expenditure has not been included in the current revenue budget or Medium Term Financial Plan (MTFP), therefore both the short and longer term affordability is the key issue which Member's need to consider.

In this context I have attached at Appendix 1 the original and a revised MTFP for Members to assess whether or not they wish to fund some or all of this expenditure by borrowing.

The Revised MTFP includes the following changes:

- (i) The actual General Reserve Fund Balance brought forward from 2016/17 of £543,740, an increase of £9,482 from the original estimate figure.
- (ii) PWLB Loan repayments totalling £65,390 in 2018/19, this reduces by £486 per annum as the loan is repaid.
- (iii) Markets – as mentioned under Agenda Item 8 above, the operational changes to the Market service is expected to reduce expenditure by around £60,000 per annum. For the purpose of this report a reduction of £50,000 has been included. This should hopefully provide some additional leeway in the MTFP.

I would remind Members that the MTFP includes an assumed annual increase in the Council Tax charge of 1.5% per annum over the life of the MTFP.

2.8 As Members will see the revised MTFP shows a slightly worse position, this is as would be expected given that this proposal will add to the Town Council's underlying level of net expenditure. However over the next six years the level of the General Reserve Fund doesn't fall below the previously agreed minimum of £100,000.

The General Reserves position can also be boosted by transferring back some or all of the £250,000 balance in the Town Hall Reserve Fund if the cost of the renovation works are funded from borrowing. In effect one of the benefits from this proposal is that it can release funds back into the revenue account, if required, to maintain an adequate level in the General Reserve Fund over the medium to longer term.

3. Financial, Legal, Equality & Risk Issues

3.1 Contained in the report.

Background Papers:	Budget working papers.
Lead Officer:	Alan Mellor Tel: 01636 684801 Email: alan.mellor@newark.gov.uk

(i) ORIGINAL MEDIUM TERM FINANCIAL PLAN

Summary Medium Term Financial Plan								
		2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024
		£000	£000	£000	£000	£000	£000	£000
Total Expenditure		1,228	1,253	1,278	1,304	1,330	1,356	1,384
Council Tax		-864	-893	-928	-967	-1,003	-1,042	-1,085
Devolved Services Grant		-240	-255	-269	-283	-308	-323	-352
Increase/ (Reduction) in Balances		-124	-105	-81	-54	-19	9	53
Balance b/fwd		534	410	305	224	170	151	160
Balance c/fwd		410	305	224	170	151	160	213

(ii) REVISED MEDIUM TERM FINANCIAL PLAN

Summary Medium Term Financial Plan								
		2017/ 2018	2018/ 2019	2019/ 2020	2020/ 2021	2021/ 2022	2022/ 2023	2023/ 2024
		£000	£000	£000	£000	£000	£000	£000
Total Expenditure		1,228	1,203	1,225	1,251	1,276	1,301	1,328
Council Tax		-864	-893	-928	-967	-1,003	-1,042	-1,085
Devolved Services Grant		-240	-255	-269	-283	-308	-323	-352
PWLB Loans		0	65	65	64	64	63	63
Increase/ (Reduction) in Balances		-124	-120	-93	-65	-29	1	46
Balance b/fwd		543	419	299	206	141	112	113
Balance c/fwd		419	299	206	141	112	113	159

FINANCE AND GENERAL PURPOSES COMMITTEE

SUBJECT:	DISQUALIFICATION CRITERIA FOR COUNCILLORS and MAYORS
REPORT BY:	TOWN CLERK

1. Recommendations

- 1.1. Members are asked to consider making any comments on the Disqualification Criteria for Councillors & Mayors consultation paper.

Background

- 2.1 The Department for Communities and Local Government (DCLG) have recently issued a consultation paper reviewing the criteria under which local authority Councillors are disqualified from holding office.

This current criteria and any new changes will apply to Parish Councillors.

- 2.2 Apart from the criteria which relate to an individuals' employment status the two main criteria which currently exist are for an individual who is subject to bankruptcy orders or has been convicted of any offence which resulted in a term of imprisonment of not less than three months.

- 2.3 The consultation paper is attached at Appendix 1. In particular it proposes an extension to the Disqualification Criteria to cover certain Sexual Offences and some Anti-Social Behaviour Orders.

Apart from any general comments the DCLG have asked for comments on six specific questions which are set out at page 14 of the consultation document.

Members are invited to submit any personal comments on the proposals and also consider if they wish to make any representations in the name of the Town Council.

3. Financial, Legal, Equality & Risk Issues

- 3.1 None.

Background Papers:	None
Lead Officer:	Alan Mellor Tel: 01636 684801 Email: alan.mellor@newark.gov.uk

Disqualification criteria for Councillors and Mayors

Consultation on updating disqualification criteria for local authority members

September 2017
Department for Communities and Local Government

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Department for Communities and Local Government Fry Building
2 Marsham Street
London
SW1P 4TF
Telephone: 030 3444 0000

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Scope of the consultation

A consultation paper issued by the Department for Communities and Local Government on behalf of the Secretary of State

<p>Topic of this consultation:</p>	<p>This consultation paper sets out the government’s proposals for updating the criteria disqualifying individuals from standing for, or holding office as, a local authority member, directly-elected mayor or member of the London Assembly.</p>
<p>Scope of this consultation:</p>	<p>The Department for Communities and Local Government is consulting on proposals to update the criteria disqualifying individuals from standing for, or holding office as, a local authority member, directly-elected mayor or member of the London Assembly, if they are subject to:</p> <ul style="list-style-type: none"> • the notification requirements set out in the Sexual Offences Act 2003 (commonly referred to as ‘being on the sex offenders register’); • a civil injunction granted under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014; or • a Criminal Behaviour Order made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014. <p>Any changes to the disqualification criteria would require changes to primary legislation, in particular the Local Government Act 1972, the Local Democracy, Economic Development and Construction Act 2009, and the Greater London Authority Act 1999.</p> <p>The proposed changes would not act retrospectively.</p>
<p>Geographical scope:</p>	<p>The proposals in this consultation paper apply to certain authorities in England, including local authorities, combined authorities and the Greater London Authority. They do <u>not</u> apply to authorities in Wales, Scotland or Northern Ireland.</p>
<p>Impact Assessment:</p>	<p>No impact assessment has been produced for this consultation.</p>

Basic Information

To:	This consultation is open to everyone. We particularly seek the views of individual members of the public, prospective and current councillors and those bodies that represent the interests of local authorities and councillors at all levels.
Body responsible for the consultation:	The Local Government Stewardship Division in the Department for Communities and Local Government is responsible for conducting the consultation.
Duration:	The consultation will begin on Monday 18 September 2017. The consultation will run for 12 weeks and will close on Friday 8 December 2017. All responses should be received by no later than 5pm on Friday 8 December 2017.
Enquiries:	<p>If you have any enquiries, please contact:</p> <p>Stuart Young email: stuart.young@communities.gsi.gov.uk</p> <p>DCLG Tel: 0303 44 40000</p> <p>How to respond:</p> <p>Please respond by email to: Section80consultation@communities.gsi.gov.uk</p> <p>Alternatively, please send postal responses to:</p> <p>Stuart Young Department for Communities and Local Government 2nd Floor, NE, Fry Building 2 Marsham Street London SW1P 4DF</p> <p>Responses should be received by 5pm on Friday 8 December 2017.</p>

How to respond:	<p>You can respond by email or by post.</p> <p>When responding, please make it clear which questions you are responding to.</p> <p>When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an</p>
	<p>official response on behalf of an organisation, and include:</p> <ul style="list-style-type: none">- your name- your position (if applicable)- the name and address of your organisation (if applicable)- an address, and- an email address (if you have one)

Introduction

1. Local authority members (i.e. councillors), mayors of combined authorities, members of the Greater London Assembly and the London Mayor take strategic decisions that affect all our lives. They decide how best to use taxpayers' money and manage local authority resources, including property, land and assets. They also have a leading role to play in building and preserving a society where the rights and freedoms of individuals are respected. They should be community champions. It is vital, therefore, that they have the trust of the electorate.
2. The Government considers that there should be consequences where councillors, mayors and London Assembly members fall short of the behaviour expected of anyone in a free, inclusive and tolerant society that respects individuals and society generally, and where this has led to enforcement action against an individual.
3. Existing legislation prevents individuals standing, or holding office, as a local authority member, London Assembly member or directly-elected mayor if they have, within five years of the day of the election, or since their election, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment, suspended or not, for a period of not less than three months without the option of a fine.
4. The Government considers that the law should be updated to reflect new options which exist to protect the public and address unlawful and unacceptable behaviour.
5. This consultation proposes updating the disqualification criteria in section 80 of the Local Government Act 1972, paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, and section 21 of the Greater London Authority Act 1999 to prohibit those subject to the notification requirements (commonly referred to as 'being on the sex offenders register') and those subject to certain anti-social behaviour sanctions from being local authority members, London Assembly members or directly-elected mayors.
6. This consultation does not propose changing the disqualification criteria for Police and Crime Commissioners (PCCs). For the purposes of this consultation, 'local authority member' also extends to directly-elected mayors and co-opted members of authorities, and 'local authority' means:
 - a county council
 - a district council
 - a London Borough council
 - a parish council

The disqualification criteria in section 80 of the Local Government Act 1972, paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, and section 21 of the Greater London Authority Act 1999 do not cover the Council of the Isles of Scilly or the Common Council of the City of London. Therefore, the proposals in this consultation do not extend to these councils.

The Current Disqualification Criteria

7. Under section 80 of the Local Government Act 1972, a person is disqualified from standing as a candidate or being a member of a local authority, if they:
 - are employed by the local authority;
 - are employed by a company which is under the control of the local authority;
 - are subject to bankruptcy orders;
 - have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine;
 - are disqualified under Part III of the Representation of the People Act 1983;
 - are employed under the direction of various local authority committees, boards or the Greater London Authority; or
 - are a teacher in a school maintained by the local authority.

8. Paragraph 9 of schedule 5B to the Local Democracy, Economic Development and Construction Act 2009 sets out the criteria on disqualification from standing as, or being, a directly-elected mayor of a combined authority. A person is disqualified from being elected or holding office as the mayor of a combined authority if they:
 - hold any paid office or employment (other than the office of mayor or deputy mayor), including any appointments or elections made by or on behalf of the combined authority or any of the constituent councils of the combined authority;
 - are subject to bankruptcy orders;
 - have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine; or
 - is disqualified for being elected or for being a member of a constituent council under Part 3 of the Representation of the People Act 1983.

9. Section 21 of the Greater London Authority Act 1999 disqualifies someone from being the Mayor or an Assembly member if they:
 - are a member of staff of the Authority;
 - hold an office that disqualifies the holder from being Mayor or an Assembly member;
 - are subject to bankruptcy orders are bankrupt or have made a composition agreement with creditors;
 - have, within 5 years before being elected, or at any time since being elected, been convicted in the UK, Channel Islands or Isle of Man of any offence and have received a sentence of imprisonment (suspended or not) for a period of not less than three months without the option of a fine;
 - are disqualified under section 85A or Part III of the Representation of the People Act 1983 from being the Mayor or an Assembly member; or
 - are a paid officer of a London borough council who is employed under the direction of:
 - a council committee or sub-committee whose membership includes the Mayor or someone appointed on the nomination of the Authority;
 - a joint committee whose membership includes a member appointed on the nomination of the council and a member appointed on the nomination of the

- Authority; ○ the council executive, or one of its committees, whose membership includes the Mayor or someone appointed on the nomination of the Authority;
- a member of the council's executive who is the Mayor or someone appointed on the nomination of the Authority.

Sexual Offences

10. The Government considers that anyone who is subject to sex offender notification requirements, commonly referred to as ‘being on the sex offenders register’, should be barred from standing for election, or holding office, as a local authority member, directly-elected mayor or member of the London Assembly. The period of time for which they would be barred would end once they were no longer subject to these notification requirements.
11. An individual can become subject to notification requirements by committing certain criminal acts or being issued with certain types of civil order:
- Being subject to sex offender notification requirements is an automatic consequence of being cautioned or convicted of a sexual offence listed in Schedule 3 of the Sexual Offences Act 2003 (see: <http://www.legislation.gov.uk/ukpga/2003/42/schedule/3>).
 - Sexual Harm Prevention Orders are civil orders intended to protect the public from offenders convicted of a sexual or violent offence who pose a risk of sexual harm to the public by placing restrictions on their behaviour. Offenders who are subject to Sexual Harm Prevention Orders become subject to notification requirements.
 - Notification Orders are civil orders intended to protect the public in the UK from the risks posed by sex offenders who have been convicted, cautioned, warned or reprimanded for sexual offences committed overseas. Such offenders may be British or foreign nationals convicted, cautioned etc. abroad of a relevant offence. Offenders who are subject to Notification Orders become subject to notification requirements.
12. The duration of the notification requirement period (i.e. how long a person is on the sex offenders register) is set out in the Sexual Offences Act 2003 and in the table below. The courts have no discretion over this.

Where the (adult) offender is:	The notification period is:
Sentenced to imprisonment for life or to a term of 30 months or more	An indefinite period
Detained in a hospital subject to a restriction order	An indefinite period
Sentenced to imprisonment for more than 6 months but less than 30 months imprisonment	10 years
Sentenced to imprisonment for 6 months or less	7 years
Detained in a hospital without being subject to a restriction order	7 years
Cautioned	2 years
Conditional discharge	The period of the conditional discharge
Any other description (i.e. community sentence, fine)	5 years

These periods are halved for offenders who are under 18 on the date of the caution, conviction or finding, as defined within the 2003 Act.

13. Offenders who are subject to the notification requirements must notify the police of (amongst other things) their: name, date of birth, national insurance number, home address, passport number, bank account and credit card details. They must do this annually, any time the details change or when they travel abroad. They must also notify the police when they stay or reside with a child for more than 12 hours.
14. Further information on the Sexual Offences Act 2003 can be found at:
<https://www.gov.uk/government/publications/guidance-on-part-2-of-the-sexualoffences-act-2003>.
15. The Government does not propose including another type of civil order, the Sexual Risk Order, as this person would not have been convicted or cautioned of a sexual offence under the Sexual Offences Act 2003 and are not subject to notification requirements for registered sex offenders. A Sexual Risk Order does require the individual to notify to the police their name and their home address. A Sexual Risk Order can be sought by the police against an individual who has not been convicted, cautioned etc. of an offence under Schedule 3 or Schedule 5 of the 2003 Act but who is nevertheless thought to pose a risk of harm to the public in the UK and/or children or vulnerable adults abroad.

Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. who is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Anti-Social Behaviour

16. Anti-social behaviour blights people's lives and can leave victims feeling powerless. These are a range of powers to the courts, police and local authorities to tackle the problems in the table below.
17. The Government considers that an individual who is subject to an anti-social behaviour sanction that has been issued by the court, i.e. a Civil Injunction or a Criminal Behaviour Order, should be barred from standing for election, or holding office, as a local authority member, directly-elected mayor or member of the London Assembly. The period of time for which they would be barred would end once they were no longer subject to the injunction or Order.

Anti-Social Behaviour (ASB) Powers

Type	Power	Description
Issued by the court to deal with individuals	Civil Injunction	A civil order with a civil burden of proof. The injunction can include both prohibitions and positive requirements to tackle the underlying causes of the behaviour. Applications can be made by police, councils, social landlords, Transport for London, Environment Agency, Natural Resources Wales and NHS Protect.
	Criminal Behaviour Order	A court order available on conviction. The order can be issued by any criminal court against a person who has been convicted of an offence. It is aimed at tackling the most persistently anti-social individuals who are also engaged in criminal activity. The order can include both prohibitions and positive requirements. Applications are made by the prosecution, in most cases by the Crown Prosecution Service, either at its own initiative or following a request from the police or council.

<p>Used by the police to move problem groups or individuals on</p>	<p>Dispersal Power</p>	<p>A flexible power which the police can use in a range of situations to disperse anti-social individuals and provide immediate short-term respite to a local community. It allows the police to deal instantly with someone's behaviour and prevent it escalating. The use of the power must be authorised by an officer of at least inspector rank, to be used in a specific locality for up to 48 hours or on a case by case basis. This is to ensure that the power is used fairly and proportionately and only in circumstances in which it is necessary.</p>
<p>Issued by councils, the police and social landlords to deal with problem places</p>	<p>Community Protection Notice</p>	<p>A notice designed to deal with particular problems which negatively affect the community's quality of life. The Notice can be issued to anyone aged 16 or over, businesses or organisations. This is a two stage power and a written warning has to be issued first. Failure to stop the behaviour or take action to rectify the problem would lead to the notice being issued. The power can be used by councils, police and social landlords (if designated by the council).</p>
	<p>Public Spaces Protection Order</p>	<p>Designed to deal with anti-social behaviour in a public place and apply restrictions to how that public space can be used to stop or prevent antisocial behaviour. The order is issued by the council. Before the order can be made, the council must consult with the police and whatever community representatives they think appropriate, including regular users of the public space. Before the order is made the council must also publish the draft order.</p>

	Closure Power	A fast and flexible two-stage power. Can be used to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder, including residential, business and licensed premises. The police and councils are able to issue Closure Notices for up to 48 hours and the courts are able to issue Closure Orders for up to six months if satisfied that the legal tests have been met. Following the issue of a Closure Notice, an application must be made to the magistrates' court for a closure order.
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Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?

Retrospection

18. Legislation does not generally apply retrospectively, the principle being that the law should operate in a clear and certain manner and the public is entitled to know the state of the law at a particular time.
19. The proposals in this consultation would not apply retrospectively, i.e. any incumbent local authority member, directly-elected mayor or member of the London Assembly, who is on the sex offenders register or subject to a Civil Injunction or Criminal Behaviour Order at the time the changes come into force would not be affected.
20. Such individuals would of course be prevented from standing for re-election after the changes came into force.

Questions

- Q1. Do you agree that an individual who is subject to the notification requirements set out in the Sexual Offences Act 2003 (i.e. is on the sex offenders register) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**
- Q2. Do you agree that an individual who is subject to a Sexual Risk Order should not be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or the London Mayor?**
- Q3. Do you agree that an individual who has been issued with a Civil Injunction (made under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014) or a Criminal Behaviour Order (made under section 22 of the Anti-social Behaviour, Crime and Policing Act 2014) should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**
- Q4. Do you agree that being subject to a Civil Injunction or a Criminal Behaviour Order should be the only anti-social behaviour-related reasons why an individual should be prohibited from standing for election, or holding office, as a member of a local authority, mayor of a combined authority, member of the London Assembly or London Mayor?**
- Q5. Do you consider that the proposals set out in this consultation paper will have an effect on local authorities discharging their Public Sector Equality Duties under the Equality Act 2010?**
- Q6. Do you have any further views about the proposals set out in this consultation paper?**

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).