



HERTFORD TOWN COUNCIL

TO: ALL MEMBERS OF THE
HERTFORD TOWN COUNCIL

You are hereby summoned to attend a meeting of Hertford Town Council to be held

At COUNCIL CHAMBER
 WALLFIELDS
 HERTFORD

ON: MONDAY 17TH JANUARY 2022
At 7.30PM

The Agenda for the business to be transacted at the Meeting is attached.

Dated **11th day of January 2022**

Mr J Whelan
Town Clerk
Hertford Town Council

MONDAY 17 JANUARY 2022

Prayers: The Mayor's Chaplain will say prayers at the start of the meeting.

AGENDA

1. RECORDING OF MEETING

To establish if it is the intention of any person present to record the meeting.

2. DECLARATIONS OF INTEREST

To receive Members' declarations of Disclosable Pecuniary Interests (as defined by the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) where these Disclosable Pecuniary Interests:

- a) Have not already been entered into the register and
- b) Relate to a matter to be considered

To note that such interests so declared must be formally notified to Town Clerk and the Monitoring Officer at East Hertfordshire District Council of the interest within 28 days.

To receive Members' declarations of Declarable Interests in accordance with Hertford Town Council's Code of Conduct (adopted 8th April 2013, as amended March 2020).

3. MAYOR'S ANNOUNCEMENTS

4. TO CONFIRM THE MINUTES of the Full Town Council meeting held on 1 November 2021.

5. QUESTIONS AND/OR STATEMENTS FROM MEMBERS OF THE PUBLIC

Members of the public may speak about specific items on this agenda which contain a recommendation, provided they have advised the Town Clerk of their wish to speak no later than midday on the Friday before the meeting (or midday of the last working day of the week before the meeting). A list giving details of the name(s) and relevant agenda item(s) will be circulated to Councillors before the meeting commences.

6. MOTIONS

To receive and discuss a motion on Hertford Market **PAPER A – page 3**

7. COMMUNITY SERVICES

To receive the report of the Community Services Committee held on 29 November 2021.

8. DEVELOPMENT AND LEISURE

To receive the report of the Development and Leisure Committee held on 13 December 2021 (including the reports of the Planning Sub-Committee meetings of 4th October, 15th October, 1st November, 15th November and 29th November 2021).

9. FINANCE, POLICY AND ADMINISTRATION

To receive the report of the Finance, Policy and Administration Committee held on 4 January 2022 (including the minutes of the Eco Working Party held on 18 November 2021).

RECOMMENDATION: Min 409 – Review of Constitution: The Committee recommends to Full Town Council the adoption of the following Constitution documents:

- a) 1.1 Intro **page 5**
- b) 1.2 Residents and the Council **page 11**
- c) 1.3 Powers and Functions **page 13**
- d) 1.4 Town Clerk and other Managers **page 17**
- e) 1.5 Council's Assets **page 21**

The Committee also suggested some minor changes to the Scheme of Delegation to Committees and Officers. Officers have also made some suggested amendments to improve clarity of this document – **page 27**

10. PRECEPT

To receive the recommendation of the Finance, Policy and Administration Committee concerning the proposed budget for 2022/23 and to authorise the Chairman to sign the Precept demand – **PAPER B page 39**

Agenda Item 6. Motion on Hertford Market

Hertford Town Council notes that Hertford is an historic market town and recognizes that the market has a critical role in the regeneration of the Town Centre. A thriving market will increase footfall to the benefit of all businesses in the town. We are concerned by the dramatic drop in the number of stalls hiring space in recent years. We know that many prospective hirers are put off by the high cost of stalls yet it's difficult to see if any of this money goes towards promotion of the market. We propose that:

1. At the next Development and Leisure Committee we discuss the questions we need to put to East Herts District Council.
2. We then put these questions to the District Council and request a meeting with officers to explore solutions and identify actions.
3. The discussion should include consideration of bringing the market under community control and therefore we request Hertford Town Council officers to obtain the latest information from East Herts District Council in order to then prepare a report laying out the pros and cons of various approaches for the councillors to consider.

Proposed Tony Tarrega

Seconded Andrew Porrer

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Document 1.1

INTRODUCTION TO THE CONSTITUTION

**Adopted January 2022
Review by January 2023**

1. Purpose

1.1 The purpose of this Constitution is to set out how Hertford Town Council works and how it makes decisions. The Constitution is a living document. It is kept under continual review and is re-examined every two years by the Finance, Policy & Administration Committee.

2. Background

2.1 The Town Council is responsible for a number of local services. It must provide some of these services by law; others are discretionary. The Town Council is a statutory corporation - that is, a body created by government under an Act of Parliament. Under the General Power of Competence, a Council undertakes various functions and delivers a wide range services as long as it ensures compliance with the law.

3. Services

3.1 The Town Council currently provides the following range of services:

- Allotments**
- CCTV** in the town centre (through the CCTV partnership)
- Hertford Cemetery**
- Christmas light displays** in the Town Centre
- Civic Traditions** – maintaining & promoting Hertford's historic civic traditions
- Closed Churchyards and other open spaces such as the Castle Grounds, St Leonard's Garden and Pinehurst Playing Field with play equipment**
- Conference and wedding facilities** at the Castle
- Consultations** – responses to any from other organisations, local & national
- Entertainments** – provide and promote public entertainments and events
- Function rooms** at the Castle & Mill Bridge Rooms social occasions, meetings etc
- Grants** to local voluntary groups and organisations
- Hertford Museum** – significant grant support to the Hertford Museum
- Partnerships** with other organisations with the aim of improving the social, economic and environmental wellbeing of Hertford
- Planning** – representations on applications & development plans and supporting communities within Hertford in the development of Neighbourhood Plans
- Representing** the Town's interests to other public service providers
- Support** to the Town Centre including provision of hanging baskets and appointment of Town Centre & Project Officer to support economic development
- The Castle** – maintain this important historical landmark on behalf of the Town and actively manage and improve the Castle Grounds
- Tourism and Information** – Town and Tourist Information Centre
- War Memorial** - maintaining on behalf of the people of Hertford
- Youth** – organising & supporting Youth engagement

4. Who pays?

4.1 Money for services comes from the following sources:

- Income from fees and charges
- Grants – when available
- Specific reserves
- General balances
- Council tax.

4.2 Unlike Hertfordshire County Council and East Herts Council, Hertford Town Council receives no income from business rates and its general expenditure is not subsidised through a government grant. There are currently no central government controls or "cap" on the Council's expenditure or ability to raise a precept. This makes Hertford Town Council directly accountable to residents for the financial implication of its actions.

5. Who decides?

- 5.1 Every four years, voters in the town elect 16 Town Councillors. They take all major decisions in the full Council; or in a Council Committee or Sub- Committee. Decisions are always collective and voted on unless they have been delegated to the Town Clerk. Sometimes those delegated decisions are taken in consultation with Councillors, for example a Committee Chairman, the Leader (see 5.2 below) or the Mayor.
- 5.2 The Council may elect a Leader and Deputy Leader and this would normally happen at the Council's Annual Meeting that takes place in May of each year.

6. The Council's job

- 6.1 The Town Council's role is to deliver its services to the people of Hertford in an open, transparent and cost-effective way; acting in the best interests of Hertford and its citizens as a whole. This sometimes means that the 'greater good' is more important than individual or particular group's interests, but this is what democratic **local** government is all about. Taking those decisions, after listening to the community, is the job of the Town Councillors acting collectively as 'Hertford Town Council'.

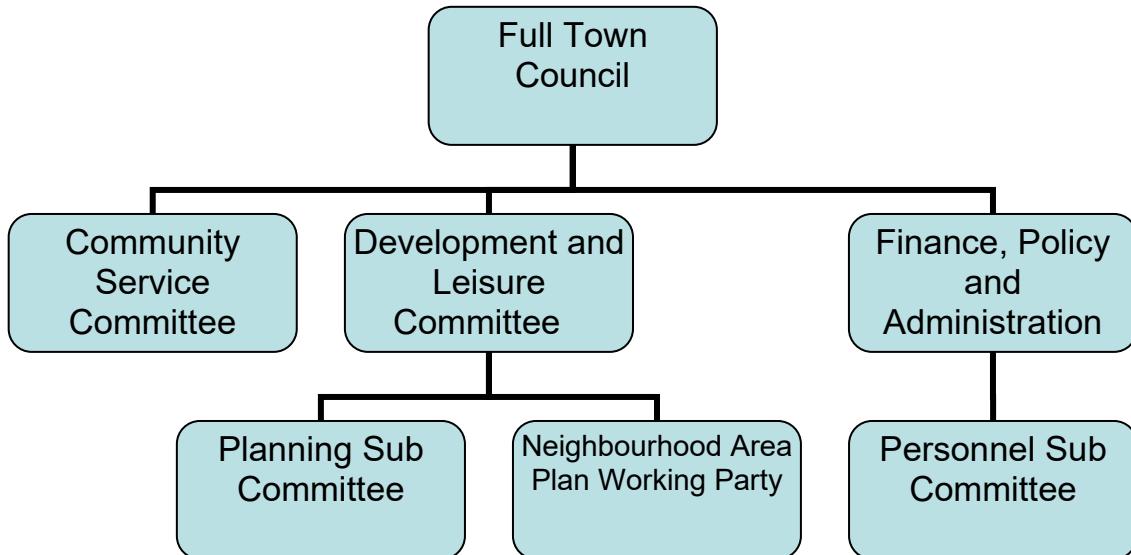
7. How is the Council organised to carry out its job?

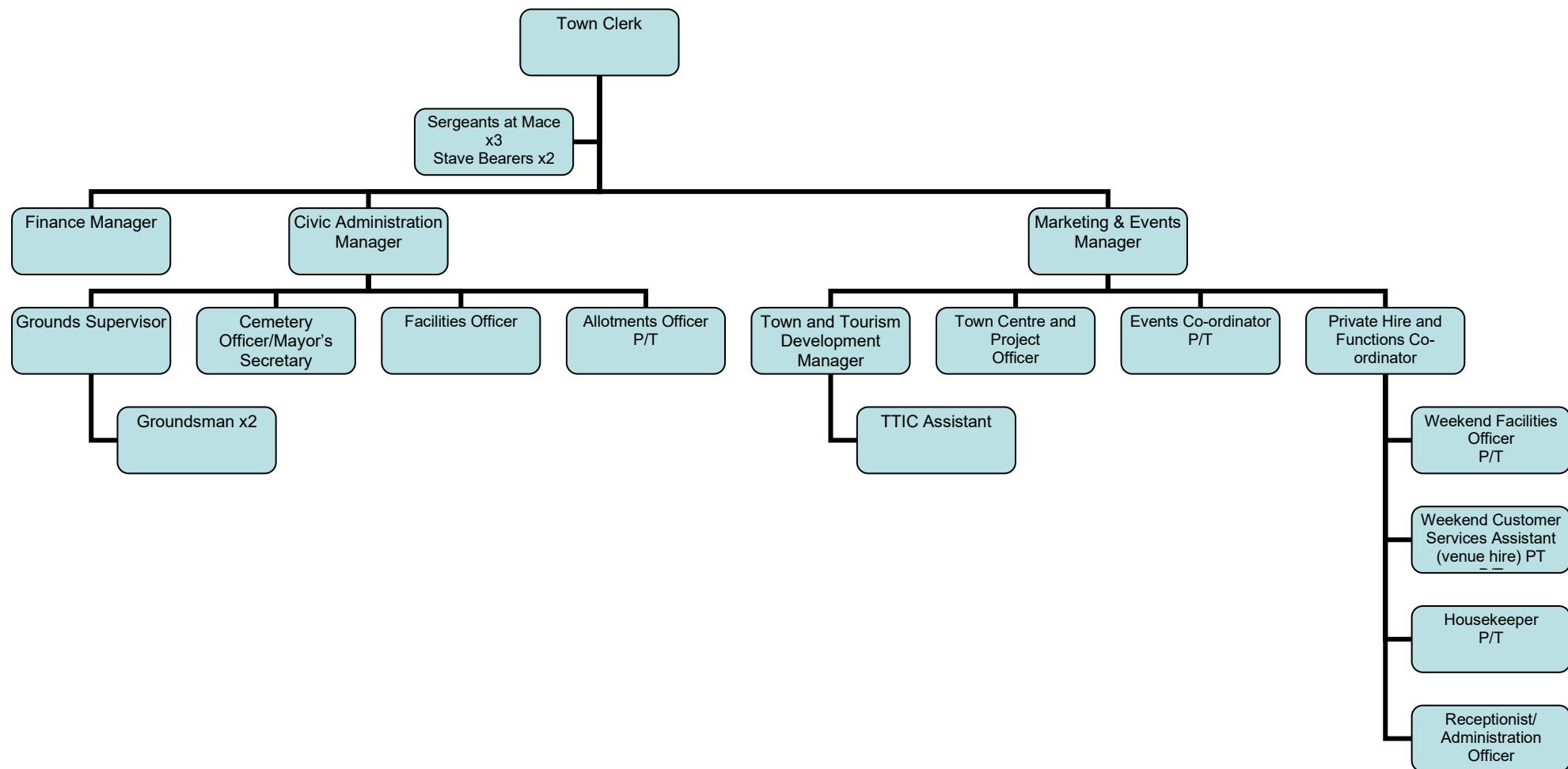
- 7.1 **The Council** – Can make all policy and other decisions within scope of the power of general competence and those powers specifically given to a town council by law.
- 7.2 **Committees** – Can make decisions (resolved items) only on those issues the Council has delegated otherwise a Committee has to make a recommendation to Council – for example on policy issues.
- 7.3 The Council's Committees are:
- ▶ Community Services Committee
 - ▶ Development & Leisure Committee
 - ▶ Finance, Policy & Administration Committee.
- 7.4 **Planning Sub-Committee** – This is a sub-committee of the Development & Leisure Committee and can make decisions (resolved items) only on those issues the Committee has delegated otherwise it has to make a recommendation.

Personnel Sub – Committee – This is a sub-committee of the Finance, Policy and Administration Committee and can make decisions (resolve items) only on those issues the Committee has delegated otherwise it has to make a recommendation.

- 7.5 **Working Groups** – These can be appointed by any of the above and can be made up of councillors and officers. Representatives of other organisations may also be invited to sit on a working group. They are informal and will report to Council or a Committee on a specific, time limited, issue where more detail needs to be explored. There are currently [the Sele and Bengee Kingsmead Neighbourhood Area Plan Working Parties Party](#), reporting to the Development and Leisure Committee [and the Eco Working Party reporting to Finance, Policy and Administration Committee](#).
- 7.6 **Allotments** – The Council encourages allotment management groups to be established. Three are in existence at the time of writing – the North Road Plot Holders' Group, Mudlarks Community Garden at Cromwell Road allotments and the Lovely Grub Garden at Sele Road. These groups have entered into an agreement with the Council for it to carry out the day to day management of those allotments/areas of land on behalf of the Council.
- 7.7 **Officers** - Deliver the Council's services in line with policies or directions as determined by Councillors, collectively in Council, a Committee or a Sub-Committee. They can advise Councillors on policy issues and statutory requirements the Council has to meet. They carry out the day to day detailed management of the Council's services. By contrast Councillors look after the policy direction and other high level issues and they should ensure, through the formal framework, that the officers are working in line with those policies and should hold them to account for their actions.

8 Council Structure at Councillor Level – Policy & Direction





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Document 1.2

RESIDENTS AND THE COUNCIL

(A Summary of Rights)

Adopted January 2022
Review by January 2023

1. Hertford Residents have the following rights:**1.1. Voting**

Residents on the electoral roll for Hertford Town Council's area have the right to vote at elections for Town Councillors. These are usually held every four years in May and are organised by the Returning Officer at East Herts Council – the next elections are due in 2023. Sometimes a vacancy may occur. Notice is published by the Council and, unless ten or more electors request the Returning Officer to organise an election, the Council may fill the vacancy by co-option.

1.2. Information – Residents have the right to:

1. Attend meetings of the Council, its Committees and Sub-Committees, except during items where confidential information is likely to be disclosed (then the meeting is held in private)
2. Access information as detailed in the Council's Publication Scheme
3. Inspect the Council's minutes
4. Inspect the Council's accounts when they are made available for public inspection prior to submission to the Council's external auditor and make their views known to the external auditor.

1.3. Participation and Consultation

Residents have the right to participate in Council, Committee and Sub-Committee meetings. Details of how this can be exercised are set out in the Council's Standing Orders.

Residents may be consulted on significant issues, on either a local or Town wide basis, depending on the nature of the matter and its relative effect on the community. The Council is not a large organisation and any consultation arrangements will be proportionate to the Council's capabilities and capacity.

1.4. Complaints

Residents have the right to complain to the Town Council, under its Complaints Procedure found in document 3.2 and specifically addresses how complaints should be submitted and how they are managed.

2. Residents' responsibilities**2.1** Residents are expected to conduct themselves in a reasonable manner, in line with normally accepted standards in society, when they deal with Councillors or Officers and, in particular, when they attend any meetings of the Council, its Committees or Sub Committees.**2.3** The principles behind this expectation are:

- ▶ due respect for the rights and opinions of others
- ▶ non-confrontational behaviour
- ▶ respect at all times for the decisions on conduct and procedure in the meeting, from the person chairing that meeting
- ▶ a willingness to listen, as well as an expectation of being listened to, in a way that is both constructive and supportive.

Document 1.3

The Council's Powers & Functions

(An Introduction)

**Adopted January 2022
Review by January 2023**

Hertford Town Council Constitution

Powers & Functions, Introduction – 1.3

1 Introduction

- 1.1 Hertford Town Council is the first tier of local government in the Town and is the closest to the community it serves. The Town Council came into being on 1st April 1974 when the former Hertford Borough Council was absorbed into East Herts Council. The chairman of the Town Council is known as “The Mayor of Hertford”. Hertford Town Council is one of over ~~8,500~~^{9,000} parish and town councils in England.
- 1.2 As the first tier of local government, the Town Council is the most locally elected body in the town with discretionary powers and rights laid down by Parliament to represent the people of Hertford and provide services for them. It comprises the Mayor and Councillors. Councillors are often referred to as “Members” – for example in the various codes of conduct. The number of councillors is fixed by East Herts Council. Hertford Town Council’s lawful acts, assets and liabilities are its own and not those of its Councillors.

2 Exercising Powers

- 2.1 The Town Council must act within the confines of the General Power of Competence and the law. It can only spend, raise or use money if it has a statutory power to do so; otherwise, it acts ultra vires (beyond its powers). The Town Council has a wide range of powers under the General Power of Competence and specific acts of Parliament. Most of these powers are discretionary, i.e. the Council *may* do something, rather than it *must* do something. The exercise of these powers may be subject to various consents, from, for example, the owner of land or another public body such as the highways authority.
~~Almost all the Town Council's powers are concurrent with those of East Herts Council, i.e. the power may be exercised by either Council.~~
- 2.2 The Town Council currently has the unfettered right to raise money by precept (a mandatory demand) on East Herts Council. The precept required by the Town Council is then collected by the East Herts Council as part of the council tax levied on council taxpayers in Hertford.
- 2.3 The Town Council acts as a sounding board for local opinion and has important rights of consultation. Hertfordshire County Council and East Herts Council are each obliged by law to consult the Town Council on certain matters affecting the town.
- 2.4 The range of services and amenities provided by the Town Council is a matter entirely within its discretion and although a few functions are a legal requirement (known as a “statutory duty”) the Council still has discretion to determine how it fulfils such requirements. A scan of the latest budget and the medium term financial plan gives a general indication of activities. The Town Council plays an important role in maintaining and improving local services and facilities, supporting local voluntary organisations and activities and influencing and lobbying on local development and other issues.

3 National Influence

- 3.1 The Town Council is represented nationally by the National Association of Local Councils and is a member of the County Branch.

**Hertford Town Council Constitution
Powers & Functions, Introduction – 1.3**

4 Obligations

- 4.1 There are certain obligations that by law Hertford Town Council must fulfil. For example:
- a. It must hold an annual meeting
 - b. It must hold at least three other council meetings a year
 - c. It must appoint such officers as it believes necessary for the proper discharge of its functions including a 'Proper Officer' and s151 Finance Officer, who may be the same person.
 - d. It must make Financial Standing Orders for the supply of goods and services to the Council
 - e. It must keep minutes of its meetings in a book kept for that purpose
 - f. It must give adequate public notice of meetings and the meetings must be open to the public apart from when a confidential matter is being considered
- 4.2 The arrangements for meetings and proceedings of Local Councils are set out in Part II of Schedule 12 to the Local Government Act 1972, as supplemented by the Council's Standing Orders.

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Document 1.4

THE TOWN CLERK AND OTHER MANAGERS

**Adopted January 2022
Review by January 2023**

Hertford Town Council Constitution

Town Clerk & Other Managers – 1.4

1 Introduction to Role and Responsibilities

- 1.1 The post of Town Clerk is the ‘engine’ that makes Hertford Town Council effective and is its principal executive and adviser.
- 1.2 The Town Clerk has a duty to give clear advice to all Councillors of the Council, including the Chairman, before decisions are reached, even when that advice may be unpalatable. The Clerk has a key, direct role in advising the Council, and individual Councillors, on governance and ethical matters and liaising with the Monitoring Officer at the East Herts Council on ethical issues and the Councillors’ register of interests.
- 1.3 The Town Clerk is the overall line manager and is responsible for the effective management, performance and training of the other managers and staff. The powers of other managers and staff derive from the Town Clerk, unless they are separately appointed by the Council for a specific purpose – for example, the s151 Finance Officer in relation to some of that post’s duties for managing the Council’s finances. In common with other larger councils, Hertford Town Council employs a range of administrative, support and front line delivery staff.
- 1.4 A Councillor may be appointed to act as Town Clerk but cannot be paid for doing so, and except in an emergency (to cover a temporary vacancy for example). It is not good practice for a Councillor to take on this role, because it confuses Officer/Councillor roles.
- 1.5 It should be noted that Councillors may not be employees the Council (there is an unacceptable conflict of interest) and may not become employees of their former Council until at least 12 months after ceasing to be a Councillor (Local Government Act 1972).

2 Overall Responsibilities – Town Clerk

- 2.1 The Town Clerk is the “Proper Officer/Head of Paid Service” and an employee of the Council and as such is under a statutory duty to carry out all the functions of a local authority’s Proper Officer, and in particular to serve or issue all the notices required by law of the Proper Officer of the Council. An exception to this is the statutory duties of the s151 “Responsible Financial Officer” - these duties are not discharged by the Town Clerk.
- 2.2 The Town Clerk is responsible for ensuring that all the lawful instructions of the Council in connection with its functions as a local authority are carried out in a timely fashion. The Town Clerk is required to advise the Council on, and assist in the formation of, overall policies to be followed in respect of its activities. The Town Clerk is responsible for ensuring arrangements for producing all the information required for making effective decisions and for implementing all decisions of the Council. The person appointed is accountable to the Council as a whole for the effective management of all its resources and will report to the Council on them, as and when required.
- 2.3 The Town Clerk is the “Responsible Officer” in respect of the Health and Safety at Work etc Act 1974, in regard to his/her own safety, the safety of other employees and Councillors and that of the public, customers or other persons visiting any of the Council’s premises.
- 2.4 The Town Clerk is also the “Data Controller” for the purposes of the General Data Protection Act 2018.

Hertford Town Council Constitution

Town Clerk & Other Managers – 1.4

3. Overall Responsibilities – Finance Manager

3.1 The Finance Manager is the Council's s151 "Responsible Finance Officer" – a statutory appointment – with specific responsibilities and accountabilities to the Council for financial issues. This post is responsible for all the financial records of the Council and for the careful administration of its finances and for reporting to the Town Council on budget estimates and precept.

3.2 The website and other miscellaneous activities are also this Post's responsibility.

4. Marketing & Events Manager

4.1 Ensure the efficient and effective management of the marketing, events and tourism functions of the Council's functions.

4.2 Promote the County Town of Hertford.

4.3 Promote Hertford Castle and the Mill Bridge Rooms as venues for hire.

4.4 Organise a varied programme of Community Events.

5. Civic Administration Manager

5.1 The Civic Administration Manager is responsible for ensuring the effective and efficient management of the democratic services, civic and grounds maintenance function and deputises in the absence of the Town Clerk.

5.2 This post manages all the Council's health and safety matters and acts as Clerk to the Planning Sub Committee and Youth Engagement.

5.3 This post also manages the Mayor's Secretary/Cemetery Officer and Allotments Officer, full time Facilities Officer and the Grounds Supervisor.

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Document 1.5

THE COUNCIL'S ASSETS

(A Summary)

**Adopted January 2022
Review by January 2023**

1 Introduction

- 1.1 The Council manages a number of properties, allotments and closed churchyards. It also holds an impressive collection of civic silver and various artefacts.

2 Buildings and Land**Allotments**

- 2.1 The Council owns allotments sites in:

| | |
|-------------------|-----------|
| ► Bengeo | 56 plots |
| ► Cromwell Road | 176 plots |
| ► Folly Island | 40 plots |
| ► Hertingfordbury | 84 plots |
| ► North Road | 77 plots |
| ► Sele Road | 12 plots |

The number of plots fluctuates and depends on the size of plot let. For example, a large plot may be divided and smaller plots may be combined when they become vacant.

Management of the plots at North Road is devolved to the North Road Plotholders Group.

The Council also owns a plot of land adjacent to 81 Sele Road, currently used as a community allotment.

Buildings

- 2.2 The Council looks after a number of historic buildings in the town. It leases Hertford Castle, a Grade I listed building and owns the Seed Warehouse in Maidenhead Yard, a Grade II listed building.
- 2.3 The Council had been a sub-tenant of the Castle for some years and assumed the head lease of the Castle in 2007. The Council continues to sub-let parts of the Castle.
- 2.4 The Town Council bought the Seed Warehouse in 1983. The Hertford Museum uses most of the ground floor for storage and to house the Roman corn-drying oven found during excavations at Foxholes Farm in 1975. Part of the building is let on a commercial basis to a local charity and a local business.
- 2.5 The Seed Warehouse also houses the Mill Bridge Rooms, which are hired to local organisations for meetings and events.
- 2.6 The Town and Tourist Information Centre is run from a shop unit at 10-12 The Wash rented by the Council.

Cemetery

- 2.7 The town's main Cemetery is located at North Road and is managed by the Council.

Closed Churchyards

- 2.8 The Council maintains the following closed churchyards:
-

- ▶ All Saints Churchyard
- ▶ St Leonards
- ▶ St Andrews
- ▶ Holy Trinity

Other Land

- 2.9 Crawleys Field – Pasture land let out to rent
- 2.10 St. Leonard's Garden, Bengeo – a community garden for the benefit of local residents.

3 Civic Regalia

Mayor's Badge of Office and Gold Chain

- 3.1 In the year 1880, Earl Cowper, K.G., High Steward, and the then Member of Parliament for the Borough and Arthur James Balfour, (afterwards Earl Balfour, KG) presented to the Corporation a gold badge to be worn as a symbol of Office by successive Mayors. The badge bears a replica of the Borough of Hertford seal and is inscribed "Borough of Hertford", intersected with acorns and surrounded by open strapwork.
- 3.2 The Gold Chain from which this Badge is suspended consists of 54 links and a clasp. The links have been presented by, or in memory of, past Mayors, Town Clerks and others. Each is engraved with the names of the persons they commemorate.
- 3.3 With the Chain and Badge is worn the Gold Pendant, enamelled and jewelled with Amethysts, which was presented by members of the Corporation in 1897 in commemoration of the Diamond Jubilee of Queen Victoria. The smaller Gold Chain from which the pendant is suspended was presented by Alderman Alexander Purkiss-Ginn in 1926; the Chain having been a Christmas gift to him from members of his family during his Mayoralty in the preceding year.

Deputy Mayor's Badge of Office

- 3.4 This is a gold circular medallion depicting the Borough of Hertford seal, mounted in silver and glass pendant with chain.

The Mayoress's Jewel

- 3.5 This is a gold pendant of openwork heart-shaped outline, the centre depicting the Borough of Hertford's seal flanked by a shamrock and foliage inset with diamonds, rubies and emeralds and surmounted by the Imperial Crown. The Jewel is suspended from a gold circular chain engraved with foliage.

The Mayor's Consort's Badge

- 3.6 This is a silver gilt and enamel brooch of shaped oval outline, the circular centre with the arms of Hertford Town Council inscribed.

The Badge of the Mayor's Chaplain

- 3.7 This is a renaissance style silver, enamel and rock crystal oval locket, each side inset with a convex oval rock crystal with enamel scroll borders, containing an

enamel group of St. Hubert dismounted from his horse and kneeling before a stag beneath a tree on rockwork.

The Standard of Honor (Honour)

- 3.8 The written record of the Herald's Visitation in 1634 shows both the seal and the arms. In 1925, during the mayoralty and on the initiative of Alderman Josiah Wren, JP, the Borough obtained a grant of a Badge in view of its having been designated an "Honor"¹ in an Assignment by King Edward I in 1304, and in several subsequent royal grants.
- 3.9 The Warrant granting this badge describes it as, "Within a chaplet of roses Gules a stag's head caboshed² proper; between the attires an escocheon or, charged with three chevronells Gules" and authorises it to be borne by the Corporation and their successors upon their Standards or otherwise according to the laws of Arms. The chaplet of red, that is Lancastrian roses, exemplify that Hertford is an Honor of the Duchy of Lancaster The escutcheon or shield of arms between the horns of the stag is that of the Earls of Clare and Hertford, a title which lapsed on the death of Gilbert, the 8th Earl who was killed at Bannockburn. So the Standard of Honor of Hertford, which is carried before the Mayor on State occasions, bears this badge thrice repeated, the arms, "Argent, a hart lodged in water proper", and the legend "Pro Hertfordae Honore".
- 3.10 The Standard is of figured white silk damask, 7ft. 6in. long, with a blue and white fringe, on which the Arms and Badge are painted in correct colours, the legend being in gold lettering on a blue ground.
- 3.11 In 1986, the Town Council was advised that the original Standard had become too fragile for use and should be laid up. The Mayor, Councillor G H Sexton, launched an Appeal for funds for a replacement on Remembrance Day, and on 17th May 1987, the replacement Standard of Honor was dedicated in All Saints Church before a congregation of dignitaries, donors and local citizens.

The Hertford Mace

- 3.12 The Charter of Queen Elizabeth I in 1589 granted the Borough the right to appoint a Sergeant-at-Mace. The Mace is silver gilt, 38" in length, and weighs 930z. It is decorated with oak leaves, the rose, thistle, and harp.
- 3.13 The Town Mace is the symbol of Royal Authority in Hertford, as the Sword is the symbol of Royal Justice but, whereas the Sword is well-documented as regards date of making, the Mace is older and less well-documented so that some of what follows is based on reasonable conjecture.
- 3.14 Hertford's early beginnings were as a Saxon burgh (some evidence of a mint of the time of Alfred the Great has been found) and with the development of town life a 'burgh bailiff' emerged. A bailiff was an individual who was chosen by some sort of election to be a leader and spokesman for the burgh and probably was able to act as an arbitrator in local disputes. Under the Tudors, the bailiff's position was formalised and, as some burghs became "boroughs", the bailiff became the "Mayor". By this time, the bailiff had been elected annually with all freemen having a vote (in Hertford's case this meant all adult males living within the boundary). It had evidently become customary for the bailiff to receive a robe or gown by public

¹ According to Coke on Littleton, an Honor in its general significance, implies "a more noble sort of seigniory on which other Lordships depended by the performance of some custom or services".

² Caboshed, i.e. facing front, not sideways

subscription on taking office. When Henry VIII created Hertford a Borough, a Council would have been in existence to aid the Mayor, and the Mayor would have received a staff of office from the Crown (there is documentary evidence to support this). That part of the shaft of the present Mace, furthest from the Crown, is of a slightly different design from the counterpart. It is possible that the old staff of office was incorporated into the Mace when this symbol of authority came into use.

- 3.15 Hertford certainly had a Mace at the time of the Civil War. How it was treated in those revolutionary times is not known but, with the Restoration, those Boroughs which had been Parliamentary and which had a Mace had a Crown imposed upon their Maces at Royal Command. Hertford was a parliamentary town and had a Crown imposed upon its Mace. However, there is an oddity in the Royal Cypher on the Hertford Mace. The cypher is 'CR' with a rose interposed, not 'CIIR' as would be expected if Charles II had imposed a Head and Crown on an extant shaft.
- 3.16 The Hertford Mace is at least pre-Civil War and might contain an element that relates directly to the time when the ancient office of bailiff was transformed into Charter Mayor in the sixteenth century.
- 3.17 In 1980, the Mace was repaired and re-gilded, the necessary monies being provided by businesses and companies operating within the town. The Mace was again re-gilded in 2015

The Hertford Sword

- 3.18 The Corporation records show that in 1678 Sir Charles Caesar, Member of Parliament for the Borough, gave "one hundred pounds towards renewing of the Charter and purchasing of a sword and any such other things for the good and credit of this Corporation."
- 3.19 The sword itself was made by one Andreia Farara, an Italian craftsman working at his trade during the period 1550-1600. It has a Silver gilt hilt with cross guards and a straight double-edged blade 36" in length.
- 3.20 The scabbard is also of Italian workmanship and dates around the time of presentation, probably 1680. The ornamentation includes the Royal Arms of the Duchy of Lancaster.
- 3.21 The privilege of carrying a sword before the Mayor in addition to the Mace was granted by the Charter of Charles II in 1680.
- 3.22 The sword was repaired and restored to its present condition, the funds being provided by businesses, associations and citizens of, or having connections with, the Town. This restoration was carried out in 1981. Further restoration was carried out in 2015, with a new handle fashioned in the exact style of the original. The original handle is in the Council's possession and can be re-fitted to the sword if required, but is in a delicate state.

4 Military Memorabilia

- 4.1 These items are housed in various locations.

Volunteer and Local Militia Colours of the Napoleonic War Period

- 4.1 In 1845 the will of Henry Allington of Bayley Hall, Hertford, bequeathed to the Hertford Borough Council five flags of the Napoleonic period, which had belonged to Volunteer, and Local Militia units in the area that were raised in succession. The Colours are the only known complete set of Colours for Hertfordshire Units at the

time of the Napoleonic Wars and are said to be of great historic value. Of the three remaining Colours two were received by All Saints Church on Sunday 10th November 2019. The Hoddesdon one has been accepted by Hoddesdon Church.

- 4.2 Where the Colours were housed between 1845 and 1980 has not been established but they could have been hanging in the Committee Room at the Shire Hall for much of that time. They were certainly there in 1909 and in 1980 had to be taken down when Hertfordshire County Council redecorated the building. They were then stored at the Castle rolled up on their poles until funds were raised in 1985-86 for a special display case designed and built by the area Museums service for South Eastern England. The cost of constructing the display case (£941) was met entirely from donations.

The Hertfordshire Regimental Collection

- 4.3 This interesting collection contains many operational items, uniforms, and medals, personal and other objects reflecting the Regiment's history.

5 Other Objects

- 5.1 These are located in various places and include:

- Drawings
- Furniture
- Manuscripts
- Pictures
- Porcelain
- Plate
- Prints
- Sculptures
- Paintings housed at Shire Hall

- 5.2 The Council also owns or leases miscellaneous vehicles and plant, office furniture and equipment associated with the running of a modern local authority.

Document 2.1a

SCHEME OF DELEGATION TO COMMITTEES AND OFFICERS

References to the Chairman/Mayor in these Standing Orders include the Deputy Chairman/Deputy Mayor and any other Councillor when acting as Chairman/Mayor.

Adopted April January 2021
Review by January March 2022

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DEFINITIONS

| | |
|--|--|
| Chairman of the Council | The Councillor of the Council elected to that office by Councillors and known as the Mayor of Hertford. |
| Chairman of Committee or Sub-Committee | The Councillor elected by the Councillors of the Committee or Sub-Committee to that office. The Councillors of a Committee or Sub-Committee may elect a Councillor of the Committee or Sub-Committee to be Chairman of an individual meeting in the absence of the Chairman and Vice-Chairman. |
| Committee | A group of Councillors which has been appointed by the Council to whom duties and powers may be delegated which would otherwise be executed by the Council. |
| Council | Hertford Town Council |
| Councillor(s) | Duly elected representative(s) of the electoral areas of Hertford Town Council, who have signed the Declaration of Acceptance of Office and are serving on the Council for the time being. |
| Deputy Mayor or Deputy Mayor | The Vice-Chairman of the Council elected to that position by Councillors of the Council. |
| Leader of the Council | The Councillor elected to that position by the Councillors of the Council |
| <u>Deputy Leader of the Council</u> | <u>The Councillor elected to that position by the Councillors of the Council who acts as Leader during periods of absence of the Leader.</u> |
| Majority | A majority of those present at a meeting and voting. A motion may be carried by a single voter if no other Councillor chooses to vote. |
| Mayor | The Chairman of the Council elected to that position by the Councillors of the Council or otherwise as directed by statute. |
| Proper Officer | Statutes refer to the “Proper Officer” for a number of purposes. It is usually the Town Clerk for any purpose for which a proper officer is mentioned in any statute except where the issue is finance related when the Finance Officer is identified as the “Proper Officer”. |
| Resident | A person who is resident in the electoral area of Hertford Town Council and whose name may or may not appear on the Register of Electors for Hertford. |
| Statutory | As laid down by law. |
| Sub-Committee, Working Party, or Forum | A sub-Committee, working party or forum established by the Council or a Committee |
| Vice-Chairman of the Council | The Deputy Mayor |
| Working Party | Councillor(s), Officers and other individuals who have been asked to review or investigate a specific topic or topics and report thereon to the constituting body (Council, Committee or Sub-Committee). |

1 FULL COUNCIL COMMITTEE MEETINGS**1.1 Reports from Committee Chairmen & recommendations of Committees**

1.1.1 The usual order for considering reports from Committee Chairmen and recommendations of Committees will be:

Community Services Committee
Development & Leisure Committee
Finance, Policy & Administration Committee

1.1.2 The order may be changed by the meeting by motion put by the Chairman where this is conducive to the efficient conduct of business.

1.1.3 Recommendations of Committees must be included in full on the agenda for the Council meeting. Recommendations of Committees meeting after the notice of meeting has been sent to Councillors must be circulated to all Councillors as soon as practical.

1.1.4 Recommendations may not be discussed until they have been moved and seconded. This will normally be done by the Chairman and Deputy Chairman of the Committee.

1.1.5 Normally only one recommendation may be discussed at a time, but the Chairman may allow 2 or more recommendations to be discussed together where this is conducive to the efficient conduct of business.

1.2 Conduct

1.2.1 A Councillor or Officer when speaking must stand and address the Chairman.

1.2.2 Councillors must behave in a way that is conducive to the efficient conduct of business and respect the role of the Chairman in the proper management of the meeting and the role of the Town Clerk as impartial adviser.

1.2.3 If a Councillor persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructing business, the Chairman may move that the Councillor be not further heard. If the motion is seconded, it must be put to the vote immediately without discussion.

1.2.4 If the Councillor continues to behave improperly after a motion that the Councillor be not further heard, the Chairman may move that either the Councillor leaves the meeting or that the meeting is adjourned for a specified period. If the motion is seconded, it must be put to the vote immediately without discussion.

1.2.5 If there is a general disturbance at the meeting involving any person present, making the orderly conduct of business impractical, the Chairman may adjourn the meeting for as long as s/he considers necessary.

2 COMMITTEE MEETINGS

2.1 Chairing meetings

- 2.1.1 Every Committee shall at its first meeting following the Annual Council Meeting, before conducting any business, elect a Chairman for the year. A Committee may elect a Deputy Chairman.
- 2.1.2 The Chairman of the Committee, or in her/his absence the Deputy Chairman, will chair meetings of the Committee. In their absence, the Committee shall select a Councillor to chair the meeting.

2.2 Quorum

~~No business shall be dealt with unless at least 3 Councillors are present.~~

~~If there is no quorum the meeting must be adjourned immediately.~~

~~A meeting may not take place or continue once started and no business transacted unless 3 Councillors are present.~~

The business on the agenda for the meeting shall be adjourned to another meeting.

2.3 Holding meetings

- 2.3.1 The ordinary meetings of a Committee shall be held at a place, date and time fixed by the Annual Council meeting.
- 2.3.2 Special meetings of a Committee may be called by the Town Clerk in consultation with the Committee Chairman and Leader of the Council.

2.4 Attendance by Other Councillors

- 2.4.1 Any Councillor who is not a member of a Committee may attend any meeting of that Committee.
- 2.4.2 The Chairman may permit any such Councillor to speak.

3 COMMITTEES AND DELEGATIONS

3.1 Appointment of Committees

- 3.1.1 The Town Council will, at the Annual Council meeting appoint such Committees, sub Committees, working parties and forums as are deemed necessary to effectively discharge the Council's business.
- 3.1.2 The Council may, ~~at any other time~~, appoint Committees, Sub Committees, Working Parties and Forums as are deemed necessary
- 3.1.3 The Committees and Sub Committees currently appointed shall consist of the number of Councillors set out below or as determined by the Council and they shall have the roles and functions set out below or as determined at the time of appointment.

- 3.1.4 Where the Mayor is not a Councillor of a Committee in his or her own right, the Mayor shall be an ex-officio Councillor and shall be entitled to speak and put forward motions but not vote.
- 3.1.5 The Local Government and Housing Act 1989 requires that District/Borough Councils allocate seats on Committees to Political Groups in accordance with the size of each group on the Council as a whole and in accordance with the following principles. (Hertford Town Council recognises these principles as best practice and therefore the principles are to be observed as far as is reasonably practicable.)
- a) That not all seats on the same committee are allocated to the same political group;
 - b) That the majority of seats on a committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
 - c) That, subject to a) and b) above, the number of seats of committees allocated to each political group bears the same proportion of the total of all the seats on committees; i.e. the sum total of all seats on all committees and sub committees.
 - d) That, subject to a), b) and c) above, the number of seats on a committee allocated to each political group bears the same proportion to the number of all seats on that committee.

For the purposes of political balance, a group is required to have at least two members and to be have been formally constituted as a Political Group by notifying the Proper Officer (Town Clerk) to inform the Council of that fact and of its name and the identity of its Leader. A person joins a particular political group by sending a notice signed by him/her and the leader of the group and to the Proper Officer.

Whenever the Council is required to review the allocation of seats on committees between political groups, or the Council resolves to carry out such a review, the Town Clerk shall submit a report to the Council showing what allocation of seats would, in his/her opinion, best meet the requirements of Section 15(4) of the Local Government and Housing Act 1989 and in the light of such a report, the Council shall determine the allocation of seats to political groups.

Once the allocation of seats has been decided upon, there is a duty on the Council to give effect to the allocation by making appointments thereto in accordance with the wishes of the political groups. The wishes of a properly constituted political group are taken to be those expressed to the Proper Officer in writing by the Leader of the Group

3.2 FINANCE, POLICY AND ADMINISTRATION COMMITTEE

The Committee shall undertake the following role and functions:

The Committee will comprise no fewer than 9 Councillors. The quorum of the Committee shall be 3 Councillors.

1. To keep under annual review the Council's constitution, objectives, policies, protocols and other governing documents.
2. To determine all the resource requirements of the Council and make recommendations to the Council. Resources include financial, land, property, employees and contractors.
3. To recommend to the Council an annual budget and precept.
4. To regularly monitor income and expenditure and to make any recommendations to the Council.
5. To consider recommendations of the Personnel Sub Committee on Human Resource issues.
6. To consider Community Grant applications.
7. To have oversight of Civic and ceremonial matters.
8. To manage matters relating to premises, leases and licences.
9. To show support for/overview of the Hertford Museum.
10. To incur and authorise expenditure not otherwise delegated to another Committee or employee and to oversee expenditure under the New Homes Bonus
11. To provide oversight of the Council's Social Media accounts
12. To provide oversight of the Highways Together Scheme
13. To carry out any function not otherwise delegated to another Committee or employee.
14. To make recommendations to the Council on the formulation of any policy or strategy in relation to the discharge of its role and function.
15. To discharge all other aspects of its role and functions in accordance with relevant legislation, any policy or strategy relating to the function approved by the Council, and only within the budget provision made by the Council.
16. To vire expenditure and carry overs within its own budget.

3.3 PERSONNEL SUB COMMITTEE (STANDING SUB CTTE OF FPA)

The Committee shall consist of no fewer than 5 Councillors. The quorum for the Sub Committee shall be 3 Councillors.

The Committee shall undertake the following role and functions:

1. To consider and determine matters relating to salaries and conditions of service, and health and safety and employment policies relating to all employees of the Council, with reference to the Service of the

National Joint Council for Local Authorities NJC policies and to determine Council policy as to those discretionary provisions contained in the scheme.

2. In line with the Council's strategic objectives, to recommend to the Finance, Policy and Administration Committee, any changes in the Council's establishment resulting from a management review of the structure.
3. To receive and approve reports from the Town Clerk on changes and/or issues relating to the Council's staff including overtime.
4. To consider and make recommendations to the Finance, Policy and Administration Committee on the appointment of the Town Clerk and on any matter relating to the conditions of employment and role of the Town Clerk.
5. To approve job descriptions for all Staff.
6. To determine the training and qualification policy of the Council.
7. To determine the expenses policy of the Council
8. To determine the overtime payment policy of the Council
9. To determine the role and reporting practice of the external HR consultant
10. To establish the health, safety and welfare policy of the Council.
11. To determine applications for the payment of honoraria.
12. To determine the policy for the designation of staff as essential/casual car users.
13. To determine the Council's policy in relation to discretionary items of the Local Government Pension Scheme.
14. To approve proposals from the Town Clerk for additional hours to be worked by the Town Clerk and related TOIL or extra payments.
15. To receive and approve HR and/or medical reports relating to long term sickness and/or absence issues for senior staff including the Town Clerk
16. To review and approve the performance management framework for HTC employees.
17. To determine and oversee the Recruitment and Selection Policy of the Council.

APPEALS COMMITTEE

Functions – to deal with matters arising from the Council's disciplinary and grievance procedures. The Town Clerk, in consultation with the

Leader, will call on a minimum of three members to serve as the Appeals Committee, should the need arise.

3.4 DEVELOPMENT AND LEISURE COMMITTEE

The Committee will comprise no fewer than 9 Councillors. The quorum of the Committee shall be 3 Councillors.

The Committee shall undertake the following roles and functions:

1. To provide publicity, tourism, entertainment and events
2. To provide a Christmas Lights display
3. To provide oversight of the Council's provision of community safety initiatives such as CCTV and Taxi Marshalls.
4. To oversee and manage venue hire for the Castle and Millbridge Rooms
5. To support economic development and promotion of the town centre
6. To provide oversight of the Council's online presence (Council and Go Hertford website)
7. To provide direction and oversight of the Council's support to the Town Centre
8. To provide oversight of the Town and Tourist Information Centre
9. To give approval or otherwise of any development plan, transport plan or similar document or strategy proposals affecting the Town.
10. To provide oversight of the Council's Social Media accounts in relation to events and venue hire promotion.
11. To carry out any of the functions delegated to the Planning Sub-Committee.
- 11.12. To provide oversight in the application of policies of the adopted Neighbourhood Plans and to have overview of the implementation of Action Plans related to adopted Neighbourhood Plans
- 12.13. To make recommendations to the Council on the formulation of any policy or strategy in relation to the discharge of its role and function.
- 13.14. To discharge all other aspects of its role and functions in accordance with relevant legislation, any policy or strategy relating to the function approved by the Council, and only within the budget provision made by the Council.
15. To determine contractual award to enable the undertaking of the tasks charge of the above responsibilities To determine contractual

award to enable the undertaking of the discharge of the above responsibilities

14.

16. To vire expenditure within its own budget and to recommend to the Finance, Policy & Administration Committee such other virements and carry overs as the Committee considers appropriate.

3.5 PLANNING SUB-COMMITTEE (STANDING SUB CTTE OF D&L)

The Sub Committee comprises of no fewer than 5 Councillors. The quorum for the Sub Committee shall be 3 Councillors.

The sub-Committee shall undertake the following roles and functions:

To make recommendations to the Council:

1. In respect of representations to the Local Planning Authority in support of any planning application departing policies in the Local Plan.
2. In relation to any arrangements between the Council and the Local Planning Authority about the involvement of the Council in the discharge of planning functions.

To make representations to the Local Planning Authority or other agency:

3. On any other application referred to the Town Council.
4. On any other planning, licensing, highway or related matter that affects the Town.
- 4.5. In doing the above, to apply the policies of to monitor and make use of the adopted Neighbourhood Plans whilst considering planning applications or policy matters that may affect the Wards of the town where adopted or advanced draft neighbourhood plans are in existence.

NEIGHBOURHOOD PLAN WORKING PARTY

Functions: To work with the Community to produce Neighbourhood Plans within designated areas

3.6 COMMUNITY SERVICES COMMITTEE

The Committee will comprise of no fewer than 8 Councillors. The quorum of the Committee shall be 3 Councillors.

The Committee shall undertake the following roles and functions:

1. To oversee and manage the Cemetery, Closed Churchyards and Open Spaces

2. To oversee and manage the town's Allotment sites.
 3. To maintain the War Memorial.
 4. To oversee the maintenance of the Shire Hall and All Saints' Church clocks.
 5. To consider matters relating to footpaths..
 6. To maintain the Castle Grounds.
 7. To receive minutes of the Youth Town Council
 8. To consider all matters and amenities in relation to the community that are not covered by any other Committee, including the Pinehurst Playing Field and Play Area
 9. To make recommendations to the Council on the formulation of any policy or strategy in relation to the discharge of its role and function.
 10. To discharge all other aspects of its role and functions in accordance with relevant legislation, any policy or strategy relating to the function approved by the Council, and only within the budget provision made by the Council.
11. To determine contractual award to enable the undertaking of the discharge of the above responsibilities
124. To vire expenditure within its own budget and to recommend to the Finance, Policy & Administration Committee such other virements and carry overs as the Committee considers appropriate.

3.7 Delegation to Officers

These delegations derive from the Council.

3.8 The Town Clerk shall:

1. be the Proper Officer for all Proper Officer functions except the "Section 151" function;
2. manage all employees of the Council and have the authority to take disciplinary action under agreed procedures;
3. arrange and call meetings of the Council, its Committees and sub-Committees in consultation with the relevant Chairman;
4. carry out and implement any Council, Committee or sub-Committee decision;
5. deal with all day to day matters in relation to all the Council's functions, in accordance with policies and decisions of the Council or relevant Committee.

The Town Clerk may:

6. take urgent decisions on behalf of the Council in consultation with the Leader of the Council and the relevant Chairman;

-
- 7. with the exception of item 6, delegate any of the above responsibilities to another Officer. This will be in writing to the Officer concerned and will set out the extent of the onward delegation and any conditions attaching to it.

3.9 The Finance Manager shall:

- 1. discharge all the functions of the “Responsible Financial Officer” under Section 151 of the Local Government Act 1972;
- 2. make adequate and effective arrangements to pay salaries and wages to all employees of the Council;
- 3. maintain adequate and effective personnel records.

The Finance Manager may:

- 4. with the exception of item 3.9 (1), delegate any of the above responsibilities to another Officer (with the exception of the Town Clerk). This will be in writing to the Officer concerned and will set out the extent of the onward delegation and any conditions attaching to it.

3.10 The Marketing & Events Manager shall:

- 1. Ensure the efficient and effective management of the marketing, events and tourism functions of the Council functions;
- 2. promote the County Town of Hertford;
- 3. promote Hertford Castle as a venue for hire;
- 4. Organise a varied programme of community Events.

The Marketing & Events Manager may:

- 5. delegate any of the above responsibilities to another Officer (with the exception of the Town Clerk). This will be in writing to the Officer concerned and will set out the extent of the onward delegation and any conditions attaching to it.

3.11 The Civic Administration Manager shall:

- 1. ensure the efficient and effective management of the democratic services, civic and grounds maintenance function.
- 2. deputise in the absence of the Town Clerk
- 3. act as Clerk to the Planning sub Committee and Youth Town Council.
- 4. manage the Council’s health and safety responsibilities.

The Civic Administration Manager may:

- 5. delegate any of the above responsibilities to another Officer (with the exception of the Town Clerk). This will be in writing to the Officer concerned and will set out the extent of the onward delegation and any conditions attaching to it.

REPORT TO A MEETING OF FULL TOWN COUNCIL – 17th JANUARY 2022

AGENDA ITEM 10 – DRAFT BUDGET FOR 2022/23

1. PURPOSE OF THE REPORT

- 1.1 To present Members with the latest draft of the proposed budget for the 2022/23 financial year and the appropriate Precept as recommended by the Finance, Policy and Administration Committee. The Budget Book, forwarded under separate cover, contains a detailed breakdown of the proposed budget for each Committee.

2. BACKGROUND INFORMATION - FINANCIAL IMPLICATIONS

- 2.1 In calculating the level of Precept that forms the majority part of the Council's budget, the Council must establish a budget sufficient to cover the four following classes of items:
- a) Next year's expenditure, including an allowance for contingencies.
 - b) Outstanding expenditure incurred in previous years.
 - c) Expenditure likely to be incurred before the precept sum becomes available; and
 - d) Payments to a capital fund or building maintenance reserve.

3. BUDGET ASSUMPTIONS

Expenditure

- 3.1 The salaries model is based on the existing staff structure and working patterns. Staff who are not at the top of their scale are assumed to have moved up one salary point.
- 3.2 Employer's contributions into the pension scheme are currently included at 22.15% of pensionable pay for 2022/23, the employer's national insurance contribution at 13.8%. Under the new Local Government Pension Scheme overtime payments are now included as pensionable pay, which has contributed to the growth in staffing costs.
- 3.3 A cost of living pay increase for 2022/23 has been included at 3% for HTC staff. The pay settlement for 2021/2022 is not yet completed and the 2022/2023 settlement is not available at the time of writing. Other increases will include staff qualifying for the next salary spine scale and those staff qualifying for the long service bonus

Other Budget Items

- 3.4 An inflationary increase of 3% CPI has been included on most other budgets based on the current rate used by National Statistics. The Consumer Prices Index (CPI) 12-month rate was 2.1% in July 2021, decreasing from 2.4% in the twelve months to June. Inflation has increased recently, and this figure may be updated prior to the approval of the budget in January 2022.

- 3.5 Most of the goods purchased by the Council are consumable goods, therefore CPI is used to set the budget. The rate of inflation has been raising more recently and the situation will be carefully monitored as the budget setting process continues into January 2022. If CPI is running at higher than 2.5% then adjustments will be required to the draft budget for 2022/2023.

4. COMMUNITY SERVICES - PROPOSED AND ONGOING PROJECTS

Continuation Project:

- 4.1 **5398 Cemetery Land Acquisition**– Continuation of the provision of funding to examine the feasibility for establishing a Cemetery Reserve. This work will be developed over the coming years if the purchase of new Cemetery land is made in future.

Possible New Projects:

- 4.2 Pinehurst Play Area – to increase the area of fencing around the play area, to provide space for families with small children to picnic in a dog free area along with some additional inclusive play provision. It is estimated that this work will be in the region of £12,500 - £15,000 depending on what is specified. There is £15,900 in the Pinehurst General Reserves which can fund this project.
- 4.3 Greenspace Action Plans for Hertford Cemetery and All Saints Churchyard – were endorsed by Community Services Committee at its meeting on 29 November 2021. Costs for year 1 of action plans can be funded in the budget codes 5240 (CCY Repairs Maintenance), 5340 (CEM Repairs Maintenance) 5250 (Close Church Yard Trees) and 5355 (Cemetery Trees) in financial year 2022/23.
- 4.4 Iron Gates at the end of Church Street - they were originally part of All Saints Churchyard and are now in a poor condition. Officers have sought quotes for the work and initial costings are between £18,000 to £22,000. Community Services Committee at its meeting on 29 November 2021 agreed that they would like to see this project take place and asked for this to be added to programme as a project for 2022/23. This can be funded through General Reserves.
- 4.5 Painting of St Andrews Churchyard Railings – indicative costs for surface preparation and painting the railings are £2,500.
- 4.6 Cromwell Road Allotment – installation of a raised easy access wooden planter for use by less able tenants. A budget of £1,000 is estimated for 2 planters and any surfacing requirements.
- 4.7 The draft budget for the financial year 2022/23 is **£243,868** compared to **£241,043** in the financial year 2021/22. There is an increase of £2,825 between the two periods as shown in the table below.

| Summary Budget 2022/23 | | | |
|-------------------------------|----------------|----------------|--------------|
| DESCRIPTION | 2021/22 | 2122/23 | Diff |
| Income | - 71,083 | - 73,215 | - 2,132 |
| Wages | 179,555 | 178,705 | - 849 |
| General Expenditure | 132,571 | 138,377 | 5,806 |
| TOTAL | 241,043 | 243,868 | 2,825 |
| Increase | | 1.2% | |

5. DEVELOPMENT AND LEISURE

- 5.1 The draft budget has been prepared on a “business as usual” basis and does not include any project for 2022/23. The budgeted net expenditure is **£383,158** which represents an increase of 1.62% on the last year budgeted net expenditure of **£377,020**.
- 5.2 The Council is now operating on the basis that most events set for 2022/23 will take place after the lifting of the restrictions. The Coronavirus pandemic has limited the number of stall holders that could take part in some of the events that took place between April and November which resulted in reduced income.

6. FINANCE POLICY & ADMINISTRATION - PROPOSED AND ONGOING PROJECTS

- 6.1 The 2022/23 budget net expenditure is **£639,190** and this is based on income & expenditure inflated by 3% CPI and the salaries increased by 3% as a contingency.
- 6.2 Officers are examining the feasibility of potentially upgrading the Council allotment, cemetery and venue booking systems to a more efficient software and officers have received quotes from a provider. The cost to install the three software will be £4,500-£5,000. Because they are capital expenditure, Committee is to consider the release of funding from the General Reserves and to increase expenditure budget code 7030 (F & A Subscription) by £790 to cover the ongoing annual maintenance fee if the purchase of the software is approved.
- 6.3 The server is due for renewal in the first quarter of the financial year 2023/24 and officers are looking at the possibility of moving to hybrid in the year 2023. The IT support provider can extend server support for a further year whilst the Council look at the options of getting cloud-based software. It will cost the Council £1,200 to renew for a year and officers will update the committee in the financial year 2022/23 on how much it will cost to operate in the cloud/Server.

- 6.4 Officers are asking Committee to increase the expenditure budget code 7070(F & A Computer, Printer & IT) by £3,000 due to increase in number of staff needing support and will give staff the unlimited calls when required.

7. NEW HOMES BONUS

- 7.1 The opening balance of the Reserve at the beginning of the financial year 2021/22 was £783,161 and during the financial year, the Council has awarded a total of £43,265 grants to the community as at the end of November 2021. See Appendix 4 for more details.
- 7.2 The balance on NHB Reserve at the end of September is **£771,007**, Committee are asked to note the following payments are yet to be paid out before the end of the financial year 2020/21. The total amount at the end of November includes the £14,000 due to CDA (project in bringing people together in the community), and £20,000 agreed in principle is due to Courtyard Arts.

8. COMMUNITY GRANTS

- 8.1 The FP & A Committee agreed a budget of £16,720 for community grants for 2021/22 at the beginning of the year and the total amount awarded to applicants from April 2021 to November 2021 is £4,090 and this leaves a balance of £12,630. The details of the grant awards can be found on Appendix 4 as attached.

9. LOCALISATION OF COUNCIL TAX SUPPORT GRANT

- 9.1 For 2013/14 the tax base was reduced to consider the value of the localised Council Tax Support Scheme (LCTS). To mitigate the impact of this reduction on Town and Parish Councils Central Government provided a grant to each billing authority to be divided between their preceptors. Between April 2013 and April 2014, the Town Council received its share of the grant from East Herts Council which amounted to **£125,996**.
- 9.2 The Council has released **£93,000** back into the General Reserve for various projects carried out across all committees in 2020/2021 and reduced tax base when setting the Precept each year. The funds received are currently held in an earmarked reserve to be available for use over several years if required. The remaining balance of the LCTS Grant Reserve is **£32,996**.

10. GENERAL RESERVE POLICY

- 10.1 The general reserve held by the Council ensures that there is a sufficient cash flow from the end of the financial year until the receipt of the first precept instalment for the following year (usually late April).
- 10.2 The general reserve is also a contingency for unforeseen expenditure or loss of income. The establishment of a Building Maintenance Reserve and CCTV Maintenance Reserve have removed significant risks that the reserve has to cover.
- 10.3 For the purpose of the precept calculation, a prudent target of a closing reserve as of 31st March 2022 would be **£367,440**, which is usually half of the projected

closing balance at the end of the second quarter of 2021/22 financial year. This amount would cover the net expenditure in the first quarter of 2022/23. Due to the number of contingency items built into the current budget, the unspent amount may be transferred into the general reserve or rolled forward. The closing reserve normally turns out to be higher than the approximated amount above.

10.4 The internal auditor observation is that the Council consider in reducing the general reserves in the next budget setting by drawing down some of the money to balance budget.

10.5 NALC's "*Governance & Accountability for Local Councils – Practitioners' Guide*" recommends that councils hold a minimum general reserve equivalent to at least 3 months gross expenditure but due to the level of earmarked reserves, The General Reserves held is more than 3 months gross expenditure.

11. CONCLUSION

11.1 The proposed projects total for Community Services is **£24,721**, Finance, Policy & Admin is **£9,200**. The draft budget which does not currently include any of the proposed projects above will leave the Closing Reserve at **£781,498** on the 31st March 2022.

11.2 If some of the listed projects are to be included in the budget the estimated Closing Reserve would be **£747,577** and which is above the minimum reserve level with 2% increase in the last year Precept. To meet the budget set for 2022/23, and General Reserves closing balance will be reduced by £10,000

11.3 The listed projects in section 4.2 & 4.3 were supported by Community Services Committee for recommending to Finance, Policy and Administration Committee for inclusion in the budget for 2022/23

11.4 It is proposed that the precept be increased by 2%. On this basis the current tax band D (**£102.95**) will increase to (**£105.01**) and this will give a precept of **£1,278,571**.

11.5 The draft is based on tax base of **12,175.71** houses allocated to Hertford Town Council in which the number of houses built in the year 2021 is more than same period last year.

11.6 Overall net expenditure is budgeted at **£1,264,509** and with the proposed precept of **£1,278,571**, it will give a surplus of **£14,062** that can be used as small contingency.

12. RECOMMENDATIONS

It is RECOMMENDED that:

- a) The Council **approve** a Precept demand of **£1,278,571** for 2021/22 as recommended by the Finance, Policy and Administration Committee, and
- b) The Council **authorise** the Mayor, two other Councillors and the Town Clerk to sign the formal Precept demand.

PAPER B

Report by Linda Constantine – Interim Finance Manager