



Town Hall | 61 Newland Street | Witham | CM8 2FE  
01376 520627  
witham.gov.uk

## AGENDA

### WITHAM TOWN COUNCIL

Date: **Tuesday 2<sup>nd</sup> April 2024** Time: **7:30 p.m.**

Place: **Council Chamber, Town Hall, Newland Street, Witham, CM8 2FE**

**Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.**

To be present:

Councillors:

|              |                     |             |
|--------------|---------------------|-------------|
| S. Ager      | (Town Mayor)        | P. Heath    |
| L. Barlow    | (Deputy Town Mayor) | T. Hewitt   |
| E. Adelaja   |                     | J. Martin   |
| P. Barlow    |                     | R. Playle   |
| J.C. Coleman |                     | R. Ramage   |
| J.M. Coleman |                     | A. Sloma    |
| B. Fleet     |                     | B. Taylor   |
| L. Headley   |                     | E. Williams |

Nikki Smith  
Town Clerk

NS/SS/25.3.2024

#### **1. APOLOGIES FOR ABSENCE**

To receive and approve apologies for absence.

#### **2. MINUTES**

To receive the Minutes of the Meeting of Town Council held 5<sup>th</sup> March 2024 (previously circulated).

**3. INTERESTS**

To receive any declarations of interest that Members may wish to give notice of on matters pertaining to any item on this agenda.

**4. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

An opportunity to enable members of the press and public present to comment.

*Order Note: A maximum of 30 minutes is designated for public participation time with no individual speaker exceeding three minutes unless otherwise granted an extension by the Chairman under Standing Order 3(F) & 3(G)*

**5. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE**

To receive reports from Essex County and Braintree District Councillors on matters relating to Witham.

**6. TOWN MAYOR'S ENGAGEMENTS**

To receive details of the Town Mayor's engagements attended for period 1<sup>st</sup> March– 25<sup>th</sup> March 2024 attached at page 4.

**7. TOWN CLERK'S REPORT**

To receive the Town Clerk's report on matters arising attached at page 5.

**8. FINANCIAL RISK ASSESSMENT**

To receive the Financial Risk Assessment and recommendations from the Financial Scrutiny Panel attached at page 6.

**9. RIDE LONDON**

To give a verbal update on Ride London, being held in Witham on Saturday 25<sup>th</sup> May 2024.

**10. COMMITTEE REPORTS**

**(a) Planning and Transport Committee held 5<sup>th</sup> & 19<sup>th</sup> March 2024**

Minutes 222 to 243.

To receive a report of the Meetings.

**(b) Policy and Resources Committee held 19<sup>th</sup> March 2024**

Minutes 40 to 49.

To receive a report of the Meeting.

**11. EXCLUSION OF THE PRESS AND PUBLIC**

**TO RESOLVE** That under the Public Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the Meeting for the consideration of the remaining items of business on the grounds they involve the likely disclosure of exempt information falling within Schedule 12A (S3) of the Local Government Act 1972.

**12. FUNDING REPORT**

To receive the Funding Report.

**13. LAND TRANSFER**

To receive a report.

**14. TOWN HALL IMPROVEMENT WORKS**

To receive a report.



**LIST OF MAYOR'S ENGAGEMENTS BETWEEN  
1<sup>st</sup> MARCH TO 25<sup>TH</sup> MARCH 2024**

**Witham Industrial Watch BID Launch, Friday 8<sup>th</sup> March 2024**

Attended the Witham Industrial Watch BID Launch.

**Community Garden Opening, Wednesday 20<sup>th</sup> March 2024**

Opened a community garden at Fusion Leisure Centre in Witham by planting a tree.

**Witham Carnival Court Selection, Saturday 30<sup>th</sup> March 2024**

Attended the selection of the Witham Carnival Court for 2024 at Witham Public Hall.

[Back to agenda](#)



ITEM NO: 7

**Officer Report: Town Clerk's Report**

**The following matters are for members to note:**

- The handover of the Wright Grove Allotment site took place on 21<sup>st</sup> March 2024. These will be allocated to tenants in the near future.
- Pop Up Stall Dates are-
  - 25<sup>th</sup> April
  - 30<sup>th</sup> May
  - 27<sup>th</sup> June
  - 25<sup>th</sup> July
  - 29<sup>th</sup> August
  - 26<sup>th</sup> September

**Advice:**

To receive and note.

[Back to agenda](#)



# Financial Risk Assessment

CONDUCTED BY THE FINANCIAL SCRUTINY PANEL

~~Interim Assessment~~ / End of Year Assessment

## PANEL MEMBERS:

|            |            |
|------------|------------|
| Councillor | P.R Barlow |
| Councillor | B Fleet    |
| Councillor | E Adelaja  |

## OFFICERS:

|           |                                 |
|-----------|---------------------------------|
| N. Smith  | (Responsible Financial Officer) |
| JJ. Reeve | (Finance Assistant)             |

Panel date: 22<sup>th</sup> March 2024

The financial scrutiny panel was constituted by resolution to ensure a thorough and transparent process is in place to actively scrutinise the actions of officers who control the financial administration of Witham Town Council.

The panel exists to make recommendations to officers and suggest process changes and new processes where required, with any such recommendations being endorsed by the Policy & Resources Committee.

## Summary of Recommendations:

Section 1: Budget Management

Section 2: Administration

Section 3: Policy & Internal Control

Section 4: Tenders

Section 5: Other Recommendations

## FINANCIAL RISK ASSESSMENT

## SECTION ONE: BUDGET MANAGEMENT

| Item   | YES | NO | REC | Evidence:   |
|--|-----|----|-----|---|
| 1. Have the Council's Financial Regulations been followed?   | √   |    |     | 1 issue. Town Clerk use of personal credit card due to reached card limit. P&R 20.03.24 has upped this limit. |
| 2. Has each committee approved a draft budget and corresponding business plan for the current financial year?                    | √   |    |     | Last completed September 2023   |
| 3. Did the Estimates Sub-Committee make recommendations to Full Council on each budget ahead of setting the precept?             | √   |    |     |   |
| 4. Have the budgets set by Council been followed by the relevant committees?   | √   |    |     |   |
| 5. Has the Council followed due process in setting the annual precept?   | √   |    |     | Also helped to test District Council additional precept forms this year.                                      |
| 6. Has the Council kept within its respective committee budgets for the year to date?  |     | √  |     | CCTV went over budget but reported in line with Financial Regulations.  |
| 7. Has each committee received a budget report as part of its agenda papers?   | √   |    |     |   |
| 8. Have regular reports on the financial status of the Council been made to the Policy and Resources Committee?                  | √   |    |     |   |
| 9. Has the Clerk sought approval from the Council for expenditure and emergency expenditure outside of the Scheme of Delegation? | √   |    |     | CCTV used emergency expenditure, discussed with chairman and then reported to committee.                      |
| 10. Have Members received recommendations on appropriate budget virements where required?  | √   |    |     | Virement were used for Grants, Community support and for Riverwalk Management. Standing orders allow.         |
| 11. Are all earmarked reserves duly accounted for and up to date?  | √   |    |     | Published to P&R quarterly  |
| 12. Can officers provide the panel with an up to date analysis of the general reserves and balances of the Council?              | √   |    |     | Published to P&R quarterly  |



## FINANCIAL RISK ASSESSMENT

## SECTION TWO: ADMINISTRATION

| Item  | YES | NO | REC | Evidence:   |
|---|-----|----|-----|---|
| 1. Have officers complied with Financial Regulations in terms of general administration?  |     | √  |     | Prior Assistant RFO paid 1 gift voucher without obtaining approval for it. Approval obtained at a later date. |
| 2. Have accounting procedures been followed in accordance with the Account & Audit Regulations 2015?                              | √   |    |     | Demonstrated by internal/external auditors report   |
| 3. Was the Annual Governance & Accountability Statement (AGAR) completed as soon as practically possible and referred to Council? | √   |    |     | To be sent to PKF by end of July  |
| 4. Have members considered a supporting set of accounts that correspond to the AGAR?  | √   |    |     | Produced yearly.  |
| 5. Have arrangements been made for an end of year internal audit to take place?   | √   |    |     | RBS Closedown and Internal Audit booked.  |
| 6. Are adequate arrangements in place for the public inspection of documents including minutes and agenda papers?                 | √   |    |     |   |
| 7. Is the financial scrutiny panel meeting as planned?  | √   |    |     | Yes   |
| 8. Has the Policy & Resources Committee considered copies of receipts, payments and corresponding bank reconciliations?           | √   |    |     | Evidence noted by FSP   |
| 9. Are reconciliation documents supported by a corresponding bank statement?  | √   |    |     | Evidence noted by FSP   |
| 10. Where used, have cheques received the correct number of signatures and all stubs countersigned?                               | √   |    |     | Evidence noted by FSP   |
| 11. Have BACS schedules been duly signed by the current number of signatures and corresponding payments countersigned?            | √   |    |     | Evidence noted by FSP   |
| 12. Have three signatures been sought for all expenditure in excess of £4,000?  | √   |    |     | Evidence noted by FSP   |
| 13. Is the petty cash account balanced with all supporting paperwork present?   | √   |    |     | Evidence noted by FSP   |
| 14. Has the RFO/Assist RFO countersigned each petty cash receipt?   | √   |    |     | Evidence noted by FSP   |
| 15. Do all receipts booked have a corresponding invoice present?  | √   |    |     | Evidence noted by FSP   |
| 16. Have all invoices for payment been initialled by signatories?   | √   |    |     | Evidence noted by FSP   |

| Item   | YES | NO | REC | Evidence:  |
|--|-----|----|-----|--|
| 17. Are a range of signatories being used for all payments being made by the Council?  | √   |    |     | 6 Signatories  |
| 18. Has a mandate been sought by officers for any borrowing of funds including from the DMO (if applicable)?   |     | √  |     | N/A  |
| 19. Is the VAT control account in order and supported with a corresponding VAT file detailing return claims, dates of claims and items of expenditure being claimed for? | √   |    |     | Consultant report received and preparing to register for VAT. Report will be sent to next P&R Committee once response received from HMRC |
| 20. Have all Direct Debit mandates been accounted for and duly signed by at least two signatories?   | √   |    |     | Evidence noted by FSP  |
| 21. Have all receipts payable to the Council been deposited within 48 hours of receipt?  | √   |    |     |  |
| 22. Do all paying-in books correspond with receipts present in the cashbook?   | √   |    |     | Evidence noted by FSP  |
| 23. Have payments to staff to defray expenses incurred on behalf of the Council been made?   | √   |    |     |  |
| 24. Are credit card statements supported by corresponding VAT invoices and all credit card expenditure made in accordance with financial regulations?                    | √   |    |     |  |
| 25. Has the Council published a Privacy Notice which has been reviewed in the last twenty four months?   | √   |    |     | P&R Committee 20.03.24   |
| 26. Does the Council possess a Data/Document retention policy and actively file, archive and dispose of data in accordance with that policy?                             | √   |    |     | P&R Committee 20.03.24   |

## FINANCIAL RISK ASSESSMENT

## SECTION THREE: POLICY &amp; INTERNAL CONTROL

| Item   | YES | NO | REC | Evidence:   |
|--|-----|----|-----|---|
| 1. Has the Council reviewed its schedule of hire charges within the last twelve months?  | √   |    |     | Ad hoc interim reviews carried out by Town Clerk                |
| 2. Are all investments being managed in accordance with the Town Council's Treasury and Investment Management Policy?  | √   |    |     | New CCLA account to be opened.                                  |
| 3. Are all insurances schedules up to date and provide adequate cover for all services provided including fidelity guarantee insurance?  | √   |    |     | Review end of June. Extra insurance gathered for larger events. |
| 4. Is a current copy of Employer's Liability insurance present and in date?  | √   |    |     | Evidence noted by FSP   |
| 5. Can officers demonstrate that all vehicles have Vehicle Excise Duty, a current MOT paid and in date and up to date vehicle insurance?   | √   |    |     | Evidence noted by FSP   |
| 6. Is an up to date copy of the Council's registration with the Information Commissioners Office present and available for inspection?   | √   |    |     |   |
| 7. Have all internal payments (E.g Information Centre Payment Requests) been raised via an Internal Payment Request form?  | √   |    |     |   |
| 8. Examine the payments folders. Has each invoice been duly marked with an 'Approved for Payment' stamp and initialled by the approving officer?   | √   |    |     | Evidence noted by FSP   |
| 9. Have all invoices been conspicuously marked with a four digit nominal code?   | √   |    |     | Evidence noted by FSP   |
| 10. Can officers provide evidence that all BACS payments made in relation to salaries correspond to payroll schedules?   | √   |    |     | Evidence noted by FSP   |
| 11. Are all payments of sums due to HMRC correctly accounted for?  | √   |    |     | Evidence noted by FSP   |
| 12. Are all LGPS payments supported with a balancing PN11 return?  | √   |    |     | Evidence noted by FSP   |
| 13. Have all travel claims been duly marked with an 'Approved for Payment' stamp? Where parking or other expenses are claimed, are supporting tickets or receipts attached to the claim? | √   |    |     | Evidence noted by FSP   |
| 14. Has a stock check been conducted for the Information Centre within the last twelve months?   | √   |    |     | Mini check completed monthly. Full check completed annually     |
| 15. Have the financial regulations been reviewed by the Council in the last twelve months?   | √   |    |     | Annual meeting.   |

## FINANCIAL RISK ASSESSMENT

### SECTION FOUR: TENDERS

| Item  | YES | NO | REC | Evidence:  |
|---|-----|----|-----|--|
| 1. Have any tenders in excess of £25,000 been made within the last twelve months?   | √   |    |     | CCTV complete.   |
| 2. Has capital expenditure made from the Earmarked Reserves been approved by the relevant committee?                      | √   |    |     | Approval for Changing Places toilet door and Riverwalk expenditure.          |
| 3. Have all sealed tenders been opened by an officer with a Member present and a record kept?                             | √   |    |     | CCTV tender  |
| 4. Are all contracts awarded supported with an appropriate order letter and basic contract terms?                         | √   |    |     |  |
| 5. Are officers capable of demonstrating that value for money is being sought for general expenditure and procurement?    | √   |    |     | Regular comparisons carried out by Town Clerk and Finance Assistant          |
| 6. Has there been any incidents of contract dispute in the last twelve months and a record of disputes and outcomes kept? | √   |    |     | Mitie chased for disputed 3-year-old invoice. Resolved. No payment required. |

## FINANCIAL RISK ASSESSMENT

### SECTION FIVE: OTHER RECOMMENDATIONS

Approved by the Financial Scrutiny Panel: (Councillor) \_\_\_\_\_

Endorsed by the Responsible Financial Officer: \_\_\_\_\_