



Morecambe Town Council

Morecambe Town Hall,
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LA4 5AF

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Proper Officer: Mr Luke Trevaskis
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21 January 2023

To: **Members of Morecambe Town Council - Cllrs Cary Matthews, Paul Anderton, June Ashworth, Alex Ashworth, John Bates, Mariusz Balcer, Ava Balcer, Vicky Boyd-Power, Catherine Pilling, Jim Pilling, Ian Clift, Glenys Dennison, Roger Dennison, Jason Firth, Jake Goodwin, Tricia Heath, Margaret Pattinson, David Whitaker, Paul Hart, Gerald Blaikie, Bill Jackson, Louise Stansfield, Phil Forster, Wendy Cowley, Lynda Dagdeviren.**

Dear Councillor,

Dated this twenty-first day of January 2023, you are hereby summoned to attend a meeting of Morecambe Town Council to be held at 19:00 on the twenty-sixth day of January 2023.

The meeting will be held in Morecambe Town Hall, Marine Road East, Morecambe, LA4 5AF to transact business on the agenda.

Note to Councillors:

If you are unable to attend the meeting, please notify the Proper Officer of your apologies.

Note to Public:

Electors of the town wishing to address the Council are advised to notify the Proper Officer before 10am on the day of the meeting. Permission to speak at the meeting will be at the discretion of the Chairman. Public participation session at a meeting shall not require response or debate and shall solely consist of matters relating to items on the agenda. If the representation made is considered outside the remit of Morecambe Town Council, electors will be referred to the principal authority or other appropriate body.

Your sincerely,

Mr Luke Trevaskis, CiLCA, PSLCC.
Chief Executive

Agenda

1. **Apologies** - to receive apologies for absence and consider any reasons for acceptance.
([Local Government Act 1972, Section 85](#))

2. **Declarations** - to record any declared interests relating to the business of the meeting and receive any dispensation requests from the Proper Officer.
(Localism Act 2011, Section 31) Page 4
3. **Minutes** - to approve the minutes of the last meeting.
(Local Government Act 1972, Section 111) Page 5
4. **Public Participation** - to receive representations from electors that have requested to speak by 10am regarding a matter on the agenda.
(Morecambe Town Council Standing Orders - Sections 1d-1l)
Note: any electors addressing the Council must not exceed a three minute time limit. Page 6
5. **Finance**
(Local Government Act 1972, Section 151)
- i) to accept the budget reports, bank reconciliations and finance summary for Q3. Page 7
6. **Next Meeting**
(Local Government Act 1972, Section 151)
- i) to note an additional meeting will be required in February to set the 2023-24 budget and precept. Page 7
7. **Exclusion of the Press and Public**
- The Council is recommended to pass the following recommendation in relation to the following items:*
- “That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of that Act.”* Page 8
8. **Frontierland** - to receive an update and agree any actions. Page 8
9. **Weeding** - to receive an update. Page 8
10. **Personnel** - to receive a report from the Personnel Committee and ratify resolutions. Page 9

1. Apologies

To receive apologies for absence and consider any reasons for acceptance.

(Local Government Act 1972, Section 85)

1.1 Background

1.1.1 The Council (including committees) should approve (or not) any reasons for apologies if requested to do so by absent councillors. If a council member has not attended a meeting of the Council (or any committees to whom they may be a member) or has not tendered apologies which have been accepted by the Council (or a committee), for six consecutive months, their membership automatically ceases.

1.1.2 Any councillor requesting acceptance of a reason for absence must submit such a request to the Proper Officer by 10am on the day of the meeting.

2. Declarations of Interest

To record any declared interests relating to the business of the meeting and receive any dispensation requests from the Proper Officer.

(Localism Act 2011, Section 31)

2.1 Background

2.1.1 Morecambe Town Council has a duty to promote and maintain high standards of conduct.

2.1.2 Members must declare pecuniary and non-pecuniary interests in accordance with Morecambe Town Council's adopted Code of Conduct.

2.1.3 Members must also declare pecuniary interests in accordance with the Localism Act 2011, Section 31 and 33:

Localism Act 2011, Part 1, Chapter 7, Section 31 + 33:

31. Pecuniary interests in matters considered at meetings or by a single member

(1) Subsections (2) to (4) apply if a member or co-opted member of a relevant authority-

- (a) is present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority,*
- (b) has a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting, and*
- (c) is aware that the condition in paragraph (b) is met.*

(2) If the interest is not entered in the authority's register, the member or co-opted member must disclose the interest to the meeting, but this is subject to section 32(3).

(3) If the interest is not entered in the authority's register and is not the subject of a pending notification, the member or co-opted member must notify the authority's monitoring officer of the interest before the end of 28 days beginning with the date of the disclosure.

(4) The member or co-opted member may not -

- (a) participate, or participate further, in any discussion of the matter at the meeting, or*
- (b) participate in any vote, or further vote, taken on the matter at the meeting*

but this is subject to section 33.

33. Dispensations from section 31(4)

(1) A relevant authority may, on a written request made to the proper officer of the authority by a member or co-opted member of the authority, grant a dispensation relieving the member or co-opted member from either or both of the restrictions in section 31(4) in cases described in the dispensation.

(2) A relevant authority may grant a dispensation under this section only if, after having regard to all relevant circumstances, the authority-

- (a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,*
- (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset to alter the likely outcome of any vote relating to the business,*
- (c) considers that granting the dispensation is in the interests of persons living in the authority's area,*
- (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive, or*
- (e) considers that it is otherwise appropriate to grant a dispensation.*

(3) A dispensation under this section must specify the period for which it has effect, and the period specified may not exceed four years.

(4) Section 31(4) does not apply in relation to anything done for the purposes of deciding whether to grant a dispensation under this section.

3. Minutes

To approve the minutes of the last meeting.

(Local Government Act 1972, Section 111)

3.1 Background

3.1.1 The meeting is asked to approve whether the minutes accurately record the items of business and resolutions made at them.

3.1.2 Members who were not present at the meeting to which the minutes relate, are not exempt from voting.

3.1.3 Any inaccuracies, must be amended with an approved resolution.

3.1 Signatures

3.2.1 Under English Law a signature is anything that is used with the intention of being a signature. Thus, a signature can be a 'wet' signature, a seal, a name inserted digitally, or anything else that the person appending it to a document intends as a signature.

3.2.1. If the Chairman of the meeting does not agree the minutes to be an accurate record, then the Chairman may sign the minutes noting such.

4. Public Participation

To receive representations from electors that have requested to speak by 10am regarding a matter on the agenda.

*(Morecambe Town Council Standing Orders - Sections 1d-1l)
(The Public Bodies (Admission to Meetings) Act 1960, Section 1)*

4.1 Background

4.1.1 The law prescribes that all meetings must be open to the public.

4.1.2 A resolution may be passed by the Council to exclude the public from a meeting whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons as stated in the resolution and arising from the nature of that business or of the proceedings.

4.1.3 The Council may also treat the need to receive or consider recommendations or advice from sources other than members, committees or sub-committees of the body as a special reason why publicity would be prejudicial to the public interest, without regard to the subject or purport of the recommendations or advice.

4.1.4 Whilst members of the public have a legal right to attend a meeting, there is no lawful right for members of the public to contribute to, or speak at a meeting.

4.1.5 Morecambe Town Council's Standing Orders permit local government electors and business-rate payers to make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

4.1.6 Any local government electors or business-rate payers wishing to make representations must contact the Proper Officer no later than 10:00am on the day of the meeting to advise both of their wish to speak, and the content. Other issues could raised if written notice of the question/matter is submitted to the Proper Officer ten working days prior to the meeting.

4.1.7 The period of time which is designated for public participation in accordance with Standing Order 1(e) shall not exceed fifteen minutes.

4.1.8 Subject to Standing Order 1(f), each person is entitled to speak once only and shall not speak for more than three minutes.

4.1.9 In accordance with Standing Order 1(e), a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.

4.1.10 In accordance with Standing Order 1(f), the Chairman may direct that a response to a question or statement posed by a member of the public be referred to a Councillor/Officer for an oral response or to an officer for a written response.

4.1.11 A person wishing to speak at a meeting shall raise their hand when requesting to speak and shall normally stand at the front of the Council Chamber when speaking.

5. Finance

5.1 Background

- i) to accept the budget reports, bank reconciliations and finance summary for Q3.

5.2 RECOMMENDATION

5.2.1 It is recommended that Councillors accept the budget reports, bank reconciliations and finance summary.

6. Next Meeting

6.1

- i) to note an additional meeting will be required in February to set the 2023-24 budget and precept.

7. Exclusion of Press and Public

6.1 RECOMMENDATION

6.1.1 It is recommended that the Council passes the following recommendation in relation to the following items:

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following business, on the grounds that it could involve the possible disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of that Act.”

8. Frontierland - Restricted Item

To receive an update and agree actions.

9. Weeding - Restricted Item

To receive an update and agree actions.

10. Personnel - Restricted Item

10.1 to receive a report from the Personnel Committee and ratify resolutions - the minutes of which are recorded in a minute exempt from publication under Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972 - personal information relating to an individual.