



LONDON COLNEY PARISH COUNCIL

To: Cllrs D Gordon (Chair), Lillico, MacMillan, and Pakenham

26 January 2022

You are hereby summoned to attend a **FINANCE & GENERAL PURPOSES COMMITTEE** meeting to be held on **THURSDAY 3 FEBRUARY 2022**, to be held at **6.00PM, CALEDON COMMUNITY CENTRE, CALEDON ROAD, LONDON COLNEY AL2 1PU**

Emma Payne
Clerk

AGENDA

- 1. APOLOGIES**
To receive and approve apologies
- 2. NOTIFICATION OF SUBSTITUTIONS**
To receive any notification of substitution made to the Clerk
- 3. DECLARATION OF INTERESTS**
Members are reminded to make any declarations of disclosable pecuniary and/or personal interests that they may have in relation to items on this Agenda.
- 4. MINUTES**
To approve the minutes of the meeting of the Finance & General Purposes Committee held on 9 December 2021.
- 5. REPORTS TO COMMITTEE**
 - 5.1 Standing Orders**
To receive a report on update Standing Orders including delegation to Committees
 - 5.2 Community Governance Review**
To consider the parish council's response to this consultation
 - 5.3 Sale of Alcohol Policy**
To adopt the attached policy on the sale of alcohol at the Caledon Community Centre
 - 5.4 Splash Pad**
To receive an update on this project.
- 6. CONFIDENTIAL ITEMS**
To resolve to exclude the Press and public from the following items in accordance with the Public Bodies (Admissions to Meetings) Act 1960.
 - 6.1 Land at Caledon Community Centre
 - 6.2 Margaret Hopkins Suite

7. DATE OF NEXT MEETING
10 March 2022

LONDON COLNEY PARISH COUNCIL

**MINUTES OF THE FINANCE & GENERAL PURPOSES COMMITTEE MEETING
THURSDAY 9 DECEMBER 2021, AT 6.00PM
CALEDON COMMUNITY CENTRE, CALEDON ROAD, LONDON COLNEY AL2 1PU**

PRESENT: Councillors D Gordon (Chair), T Lillico, M MacMillan, and H Pakenham

IN ATTENDANCE: E Payne (Clerk)

1. APOLOGIES

All Councillors were present.

2. NOTIFICATION OF SUBSTITUTES

There were no substitutes required.

3. DECLARATIONS OF INTERESTS

There were no declarations of interest.

4. MINUTES

The minutes of the meeting held on 18 November 2021 were received as a true record of the meeting.

5. REPORTS TO COMMITTEE

5.1 Interim Internal Auditor's Report

Members received the Interim Internal Auditor's Report for 2022-23 and noted the recommendations. Members discussed these recommendations, and it was **RESOLVED** to:

- a) ***Amend the public interest report in line with the proposed amendment in the report***
- b) ***Not have the AGAR 2019-20 retrospectively audited***
- c) ***Note the comments regarding Elector's Rights and that these rights were observed for 2020-21***
- d) ***Amend the Standing Orders and Financial Regulations in line with the amendments proposed and that these are adopted by Council on 19 January 2022.***

5.2 Splash Pad

Members received an update on the progress to date regarding the splash pad. They were advised that the civil works had commenced on Monday 22 November 2021 and was on schedule, despite poor weather. They were advised that once the civil works had been completed, then the installation of the safety surfacing and equipment would be completed in April/May 2022 before the facility is opened.

Members were advised that during the consultation to decide the final design, several residents had commented about a lack of shade at the site. The contractor had been asked to quote to have a sunshade sail installed. Members considered the quotation for the sail and for a permanent pathway to be installed. It was **RESOLVED** to:

- a) ***Note the progress to date***

- b) *Not to install a permanent path to the site*
- c) *Install a sunshade sail at the splash pad at a cost of £19,142*
- d) *Ask Council to approve the increase in the budget to accommodate this amendment to the project.*
- e) *Refer the naming of the facility to be decided by Council on 19 January 2022.*

5.3 Consultation on Southwest Herts Joint Strategic Plan (JSP)

Members received this consultation, and it was **RESOLVED** to:

Refer this item to the Environment & Neighbourhood Committee for consideration at their meeting on 18 January 2022.

5.4 Contingency Plan for Parish Council Operation in the event of a National Lockdown

Members received a report regarding the operation of the Council in the event of a national lockdown with a proposed scheme of delegation. Members were reminded that the ability to hold virtual Parish Council meetings had ceased to be legal after 6 May 2021. The proposal outlined in the report was that meetings would be held virtually so that Members could discuss the matters to be considered and then the Clerk would have delegated power, in conjunction with the Chairman or Vice Chairman, to enact the decision of the Council. It was **RESOLVED** to recommend to Council that:

The Scheme of Delegation is adopted.

5.5 Investment and Reserves Policy

Members were advised that the policies on Investments and Reserves had not been adopted by Council. The internal auditor had highlighted the matter. It was **RESOLVED** to recommend to Council that:

The policies for Reserves and Investments are adopted by the Council.

8. DATE OF NEXT MEETING

13 January 2022

The meeting closed at 1840 hours.

Signed: Date:

LONDON COLNEY PARISH COUNCIL

COMMITTEE: FINANCE & GENERAL PURPOSES

DATE: 9 JANUARY 2021

REPORT BY: EMMA PAYNE, CLERK

SUBJECT: STANDING ORDERS AND DELEGATION TO COMMITTEES

1. SUMMARY

At the F&GP committee meeting on 9 December 2021, a query was raised regarding committee decisions and whether Council can revoke these decisions. This report outlines a response to this question.

2. RECOMMENDATION

Members are asked to:

- a) Note the advice regarding committee decisions
- b) Recommend the updated [Standing Orders](#) are adopted by Council

3. BACKGROUND

3.1 Committees are set up to deal with specific areas of responsibility within the Council's operation as not all items can be discussed by the Council, as the meetings would be extremely long and drawn out. London Colney operates the following committees:

- Finance & General Purposes
- Events & Community
- Environment & Neighbourhood
- Human Resources

3.2 These committees have terms of reference and delegated powers to deal with matters relating to their operation. The terms of reference are reviewed annually at the Annual Parish Council Meeting when committee membership is agreed by resolution. This also includes the scope of the responsibilities it is delegating; the number of members; the terms of office for those members and the areas within which the committee is to exercise its authority.

3.3 The legal reference to delegating powers to a committee are section 101(1) of the Local Government Act 1972 (LGA 1972). Legislation permits delegation of its statutory and legal responsibilities to a committee; subcommittee; an officer or another local authority.

3.4 When a council delegates its power to a committee, they are acting for an on behalf of the Council.

3.5 A Council cannot delegate the performance of its legal or statutory duties to a Councillor apart from the Chairman of the Council who has additional voting powers on the election of a new Chairman or individual Councillors who call an extraordinary

meeting of the Council. Resolutions can be made at a meeting that would enable a Councillor to act on behalf of the Council is ultimately responsible for, e.g., representing the Council at an external meeting.

5. IMPACT ASSESSMENT

Strategic Plan	Objective Five
Equalities	N/A
Environmental/Sustainability	N/A
Crime & Disorder	N/A
Financial	N/A
Resources (including workforce)	N/A
Risk Management	Properly constituted Committees with terms of reference reduce the risk of making an illegal decision.

LONDON COLNEY PARISH COUNCIL

COMMITTEE: FINANCE & GENERAL PURPOSES

DATE: 3 FEBRUARY 2022

REPORT BY: EMMA PAYNE

SUBJECT: SALE OF ALCOHOL POLICY

1. SUMMARY

1.1 The parish council is opening an investment account with Triodos, who are an ethical investment bank and they have asked the Clerk for the Council's policy for the sale of alcohol.

1.2 As a responsible community organisation, the parish council may want to consider adopting the attached policy.

2. RECOMMENDATION

Members are asked to consider if they wish to adopt the attached policy.

3. BACKGROUND

3.1 The parish council has a designated premises supervisor who is responsible for the sale of alcohol at the community centre, which has its own premises licence. The centre is only open for private parties, some of which hire the community centre because it has a bar.

3.2 The policy outlines the law relating to the sale of alcohol, and especially in relation to sale to minors and includes an age verification policy.

4. FINANCE

4.1 There are no financial implications

5. IMPACT ASSESSMENT

Strategic Plan	Objective Five
Equalities	N/A
Environmental/Sustainability	N/A
Crime & Disorder	Legal requirement regarding sale of alcohol
Financial	N/A
Resources (including workforce)	N/A
Risk Management	Reduces risk to Council of possible loss of premises licence and therefore loss of income.



LONDON COLNEY PARISH COUNCIL

SALE OF ALCOHOL POLICY

Introduction

As an organisation with its roots in the community, London Colney Parish Council takes our responsibilities for the sale of alcohol on our premises very seriously.

We have two halls at the community centre which are available for hire for private parties. Our licence prevents us from taking hires for birthday parties between 13-25. The majority of our hires are for private family parties including weddings and christenings.

When we have organised community events, we operate a bar for the sale of alcoholic refreshments. We are not open for alcohol sales to the general public.

The law relating to the sale of alcohol

It is against the law to sell alcohol to:

- Anyone who is under 18 years and can lead to a maximum fine of £20,000 for the bar manager/premises
- To knowingly sell alcohol to someone who is drunk
- For an adult to buy or attempt to buy alcohol on behalf of someone who is under 18
- For someone under 18 to attempt to buy alcohol or to be sold alcohol

We are within our rights to refuse to sell alcohol to an adult if they are accompanied by a child and we think that the alcohol is being bought for the child.

Premises Licence

The parish council has a premises licence (LN/020080594) for the Caledon Community Centre which enables the following activities:

- Plays
- Films
- Indoor sporting events
- Live Music
- Recorded music
- Dance performances
- Facilities for dancing
- Late night refreshments
- Alcohol sales on the premises
- Premises open to the public

The parish council also has a premises licence for Morris Recreation Ground for the following activities:

- Plays
- Live indoor sporting events
- Live music
- Recorded music
- Facilities for making music

Premises Licence Holder/Designated Premises Supervisor

Guidance issued under section 182 of the Licensing Act 2003 states that a designated premises supervisor (DPS) will normally be the person who has been given day to day responsibility for the running of the premises by the premises licence holder. The parish council has a designated premises supervisor who is on duty at all private and public events where alcohol is on sale.

The premises licence holder, the DPS and all staff on our premises are aware of their obligations under the Licensing Act 2003 relating to the sale of alcohol to children. It is the premises licence holder and DPS responsibility to keep within the law and ensure that there are systems in place that will act as a legal defence to an allegation that a sale of alcohol has taken place to an individual under the minimum legal age.

ID for Alcohol

Acceptable forms of ID to prove you are over 18 are:

- A photo driving licence
- Passport
- A proof of age card from the national Proof of Age Standards Scheme

It is a criminal offence to use false or borrowed ID to gain entry to licensed premises or to buy alcohol.

Challenge 25

Challenge 25 is a scheme that encourages anyone over 18 but looks under 25 to carry acceptable ID when they want to buy alcohol. The Parish Council endorses this scheme, and we have an age verification policy.

LONDON COLNEY PARISH COUNCIL
PREMISES AGE VERIFICATION POLICY

This policy applies in relation to the sale or supply of alcohol at:

Caledon Community Centre
Caledon Road
London Colney
AL2 1PU

Name of Premises Licence Holder: London Colney Parish Council

Name of Designated Premises Supervisor Christopher McCracken

1. The premises licence holder must ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This must as a minimum require individuals who appear to the responsible person to be under the age of 18 years of age to produce on request, before being served alcohol, identification bearing their photograph, date of birth, and a holographic mark. This can include, for example:
 - A photo card driving licence
 - A passport
 - A proof of age card bearing the PASS hologram

2. **Responsible Persons**
For the purposes of this policy the following are considered to be responsible persons:
 - the holder of the premises licence.
 - the designated premises supervisor;
 - a person aged 18 or over who is authorised to allow the sale or supply of alcohol by an under 18; or
 - a member or officer of a club present on the club premises in a capacity which enables him or her to prevent the supply in question.

ANNEX A:

Further guidance

- By selling alcohol to a person who is under 18 it is YOU that commits the offence as well as the customer.
 - Persistently selling of alcohol to children is defined as selling alcohol on the same premises to a person who is under 18 on two or more occasions within a single three-month period. Currently there are three avenues by which action can be taken against those found to be persistently selling alcohol to children.
1. The licence holder, if prosecuted, can plead not guilty and go to court and if found guilty can be given a fine of up to £10,000 with up to 3 months suspension of the alcohol licence.
 2. As an alternative to prosecution, the police or trading standards officers can give the licence holder the option to voluntarily accept a 48-hour closure notice rather than face criminal liability.
 3. The police can make a representation to the relevant licensing authority to ask them to review the licence. This can also happen in addition to options 1 and 2. The premises licence holder must ensure that staff (in particular staff who are involved in the supply

of alcohol) are made aware of the existence and content of the age verification policy applied by the premises.

Signed..... PREMISES LICENCE HOLDER

Date.....

Signed..... DESIGNATED PREMISES SUPERVISOR

Date.....