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EOM

CHRISTMAS LIGHTING RESOLUTIONS AND SUPPLIER POSITION

Report title:	**Supplementary Clerk and RFO report**
Meeting:	Extraordinary Meeting of Narberth Town Council
Date:	20 October 2026
Report author:	Town Clerk, Responsible Financial Officer and Proper Officer
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PART A - OFFICER SUMMARY

Purpose of Report

This report records the presently verified position on the resolutions of 13 October, later supplier correspondence, authority for supplier communications, and the decisions available under agenda items EOM 261020.04, EOM 261020.05 and EOM 261020.10. It makes no finding about any member's conduct or motive.

Recommendation

Members are asked to **RESOLVE** that:

1. this report and the relevant supplier correspondence be received and noted;

2. on the information available at 5.00 pm on 19 October 2026, the conditions attached to the 13 October conditional resolution have not yet been established as satisfied, and no Council resolution or recorded delegation authorising the 16 red, 13 warm-white and 3 blue arrangement has been identified;

3. subject to Blachere's written confirmation of availability within the existing contract and budget, the pre-existing 32-motif display be confirmed for Christmas 2026;

4. no additional expenditure or contractual variation be authorised, and any future refresh follow a properly notified Council process; and

5. formal supplier instructions be issued through the Clerk/RFO within expressly recorded authority.

Risk and Assurance

The risks are an unadvertised decision, an unauthorised configuration, an unverified contractual commitment, additional cost and an incomplete audit trail. The controls are adherence to the published agenda, written supplier confirmation and a single formal route for instructions.

Financial Implications

No additional expenditure is recommended. The 16/13/3 arrangement has not been financially or contractually verified. The pre-existing display should proceed only on Blachere's written confirmation.

Legal Power and Statutory Basis

Local Government Act 1972, Schedule 12 paragraph 26 and sections 101, 135 and 151; Local Government and Elections (Wales) Act 2021, section 67; Council Standing Orders 1, 7, 9, 10, 22 and 25; and Financial Regulations 5.15 to 5.21.

Training and Development

The Council should review its training plan and arrange refresher training on corporate decision-making, delegated authority, procurement and financial controls. Any decision must return on a separately notified agenda.

PART B - BACKGROUND AND SUPPORTING INFORMATION

1. Scope and Evidence

This report supports the published business under agenda items EOM 261020.04, EOM 261020.05 and EOM 261020.10. It supplies evidence and officer advice within those items. It does not enlarge

the agenda. Agenda item EOM 261020.11 is cross-referenced only to explain why no training decision is sought. The conical feature tree, real tree and switch-on event are dealt with under separate agenda items and are outside this report.

The report is based on the meeting recording and working transcript, the draft minutes of 13 October, the written correspondence presently held, and the Council's adopted governance documents. The draft minutes remain subject to approval. The later accounts of member and supplier conversations have not yet been fully reconciled.

The factual deadline in the Clerk's formal request to Cllr Jones was 5.00 pm on 19 October 2026. Any material supplier response received after this report is issued and before the meeting will be reported orally and added to the Council record.

2. Chronology and Verified Position

13 October 2026. The residents' survey did not present a closed ballot on the precise composition of the lighting scheme. It did, however, include support for warm-white, traditional and heritage-sensitive lighting, and members treated that evidence as influential. Council carried by majority an amendment that half of the 32 coloured lamp-post motifs be retained and half be replaced by warm-white motifs. Two members voted against and one abstained. Cllr Jones asked that her vote against be recorded because she considered that the outcome did not adhere to the survey results.

Members then selected red as the colour to be retained. On the present meeting record this produced a conditional Council resolution for a configuration of 16 red and 16 warm-white motifs, subject to written supplier confirmation that it could be achieved within the existing contractual and financial conditions. Members separately recorded a preferred design order of Celeste, Maia and Grace Petit, subject to availability.

The draft minutes and working transcript indicate that the Clerk was to obtain written supplier confirmation and quotations and, if the conditions were met, implement Council's decision in accordance with the Financial Regulations and procurement requirements. The working transcript records the Mayor asking whether, after Cllr Jones had looked into the matter as Chair of CET, the Clerk would now undertake the ordering. The Clerk replied, "That's the correct way, yes." Cllr Jones then stated that she could speak to the supplier and obtain quotations but could not place an order.

14 October 2026. Matt Jonsmyth of Blachere advised the Clerk in writing that neither a full nor partial exchange of the blue motifs could be accommodated on the terms then under consideration for Christmas 2026. He recommended retaining the existing scheme. The Clerk circulated that position to members and did not issue an instruction to vary the contract.

15 October 2026. Cllr Jones wrote that, following further contact with Blachere, she had "found a way forward", had contacted the Mayor "to obtain approval for the revised arrangements", and that the "final selection will be" 16 red, 13 warm-white Grace Petit and 3 blue motifs. Mr Jonsmyth subsequently wrote that, following a call with Cllr Jones, who had also spoken with the Mayor, he had secured a change to 13 of the 16 blue motifs. His email described the 16/13/3 configuration as the decorations that would be supplied and stated that no further changes could be made.

The Mayor has since indicated to the Clerk that her understanding differed from the complete 16/13/3 arrangement. That discrepancy has been put to her for formal confirmation. It is recorded

here only because it bears directly on whether the supplier was given, or understood that it had received, an authorised instruction.

19 October 2026. The deadline in the Clerk's formal request expired without a response, supporting records, a request for an extension or an indication that a response would follow from Cllr Jones. No adverse inference is drawn from that fact in this report. It means only that the requested chronology, records and claimed basis of authority remain outstanding.

The Clerk has now informed Blachere in writing that no individual councillor had been given recorded authority in this matter to place an order, accept or approve a contractual variation, or issue a binding instruction on behalf of the Council. Blachere has been asked to preserve the existing contractual position and confirm whether it treated any previous member communication as a formal instruction, variation or authority to begin irreversible work.

3. Governance and Meeting Procedure

Narberth Town Council is the decision-making corporate body. A member may gather information or liaise with a supplier, but that activity must be distinguished from an operative instruction, acceptance or contractual commitment. No recorded resolution or delegation has been identified authorising the Mayor, a committee chair or another individual councillor acting alone to approve the 16/13/3 arrangement or vary Council's decision.

Standing Order 25(a)(ii) provides that, unless duly authorised, no councillor may issue orders, instructions or directions. Financial Regulation 5.16 provides that no individual member or informal group of members may issue an official order or make a contract on behalf of the Council unless instructed in advance by a Council resolution.

Agenda item EOM 261020.04 permits Council to receive and note the supplier response, this report and procedural advice, and to identify which conditions attached to the 13 October resolutions can be satisfied. Agenda item EOM 261020.05 permits Council to confirm arrangements for the existing 32-motif display and agree the process for a future refresh. Agenda item EOM 261020.10 permits Council to settle implementation responsibilities and future supplier communications for decisions lawfully made under the agenda.

The agenda does not give notice of a proposal to approve or retrospectively ratify the materially different 16/13/3 arrangement. The report may provide later evidence under an existing item, but it cannot create a new decision that the published agenda did not fairly identify.

Standing Order 7 provides that a resolution may not be reversed within six months except by a special motion notified in writing by at least 7 councillors in accordance with Standing Order 9, or by a motion following a committee or sub-committee recommendation. Standing Order 9 also requires a motion to appear on the agenda and ordinarily to be submitted to the Proper Officer at least 7 clear days before the meeting. No such motion has been received.

Standing Order 10 lists limited procedural motions that may be moved without written notice. Standing Order 22 permits suspension of a non-mandatory standing order only in relation to an item already on the agenda. Neither provision permits Council to add an unadvertised substantive decision or disapply the statutory notice and agenda requirements.

If a motion or amendment seeking to approve the 16/13/3 arrangement is proposed, the Clerk will advise that it falls outside the published business. The Chair must determine the point of order and the application of Standing Orders, informed by that advice. Council may receive and note the information, defer consideration, or require a further report.

Recording that the conditions attached to the 13 October conditional resolution have not been established as satisfied states the implementation position. It does not, by itself, reverse the earlier resolution. A positive decision to substitute a materially different configuration is a separate matter and requires properly notified business, together with compliance with Standing Orders 7 and 9 where applicable.

This report makes no finding on individual conduct, intent or responsibility. Any employment, standards or code-of-conduct issue should be considered separately, with appropriate confidentiality and independent advice.

4. Financial and Contractual Considerations

No verified written confirmation has been received that the 16/13/3 arrangement is cost-neutral, remains within the existing hire terms, preserves any later refresh opportunity, or can be reversed without cost or delivery prejudice. The supplier's precise contractual understanding is also outstanding.

Financial Regulation 5.15 requires an auditable route of authority for a purchase. Regulation 5.17 prevents expenditure above the relevant budget without Council resolution except in an emergency. Regulation 5.20 requires an official order or letter for work, goods and services above the stated threshold, and Regulation 5.21 places control of the ordering system with the RFO.

The Council should not approve expenditure or accept a contractual variation on incomplete evidence. No additional expenditure is recommended. The pre-existing display should be confirmed only if Blachere states in writing that it remains available within the existing contract and approved budget.

If Blachere confirms that it has already undertaken irreversible work or considers a binding variation to have been made, Council should not make an assumption-based decision. The Clerk/RFO should obtain the complete written contractual position and, if necessary, specialist advice before any further commitment.

5. Legal and Statutory Considerations

Paragraph 26 of Schedule 12 to the Local Government Act 1972 requires the summons to specify the business proposed to be transacted and requires documents relating to that business to be published electronically so far as reasonably practicable. This supplementary report should therefore be circulated to all members and published with the meeting papers as soon as practicable.

Section 101 of the Local Government Act 1972 permits a council to arrange for functions to be discharged by a committee, sub-committee, officer or another local authority. It does not provide a general route for Council to delegate Council decision-making to an individual councillor. Section 135 requires standing orders governing contracts. Section 151 requires arrangements for the proper administration of the Council's financial affairs and an officer responsible for them.

The Welsh Government's Good Councillor's Guide explains that a decision topic cannot be added after the three-clear-day deadline, that vague agenda wording is unsafe for decisions, and that decision-making must not be delegated to a single councillor, including the Chair. These principles support the procedural advice in this report.

Section 67 of the Local Government and Elections (Wales) Act 2021 requires the Council to make, publish and review a training plan for councillors and staff. The governance issues identified here

should inform a separately notified review of that plan. No training resolution is sought under agenda item EOM 261020.11 because that item is expressly for receipt of a briefing only.

6. Options Available to Council

Option 1 - Confirm the pre-existing display. Subject to Blachere's written confirmation that it remains available within the existing contract and approved budget, Council may confirm the pre-existing 16 red and 16 blue lamp-post motifs as the operational implementation position for Christmas 2026. Council may also consider positioning or grouping within the limits stated in agenda item EOM 261020.05 and subject to installer confirmation. This is the recommended option.

Option 2 - Record the position and defer any commitment. If the existing display is no longer available, or if Blachere reports irreversible action or a disputed contractual variation, Council may note the position and authorise no further commitment. The Clerk/RFO would obtain the full written contractual position and return any decision on a properly notified agenda.

Option 3 - Agree the process for a future refresh. Council may direct that 2027 options, availability, costs, installation requirements and contractual implications be obtained early enough for the appropriate committee and Council to consider them through the normal governance process.

Approval or retrospective ratification of the 16/13/3 arrangement is not presented as an available option because it is not fairly identified as a decision in the published agenda and the information required for a contractual decision remains incomplete.

7. Officer Advice

No further meeting should be convened solely to seek retrospective approval while the evidence remains incomplete. If a materially different configuration is to be considered, it should be placed on a properly notified agenda with verified contractual and financial information and any applicable Standing Order 7 and 9 requirements satisfied. Tomorrow's meeting can reach a procedurally proper operational outcome by receiving the evidence, recording that the conditions attached to the 13 October conditional resolution have not yet been established as satisfied, and confirming the pre-existing display if the supplier confirms that it remains available.

The meeting should remain tightly within the published business. It should not debate or determine individual conduct. If a motion to approve the 16/13/3 configuration is proposed, the Clerk will advise that it falls outside the published business; the Chair must determine the point of order after receiving that advice.

All subsequent operative communications with Blachere should be issued through the Clerk/RFO under recorded authority. Member enquiries may continue, but they should be reported to the Clerk and must not be expressed or understood as an order, acceptance or variation.

If further material evidence arrives before the meeting, I will report it factually. Unless that evidence establishes a different authorised position, it should not alter the procedural limits of the published agenda.

8. Recommended Resolutions

Members are asked to **RESOLVE** that:

Agenda item EOM 261020.04

1. the supplementary Clerk/RFO report and the relevant supplier correspondence be received and noted;

2. Council notes that, on the information available at 5.00 pm on 19 October 2026, the conditions attached to the 13 October conditional resolution for 16 red and 16 warm-white motifs have not yet been established as satisfied;

3. Council notes that no Council resolution or recorded delegation authorising the proposed 16 red, 13 warm-white and 3 blue arrangement has been identified;

Agenda item EOM 261020.05

4. subject to written confirmation from Blachere that it remains available within the existing contract and approved budget, Council confirms the pre-existing 16 red and 16 blue display as the operational implementation position for Christmas 2026, with any positioning or grouping subject to installer confirmation and the limits of agenda item EOM 261020.05;

5. the Clerk/RFO obtain options, costs and contractual information for a possible future refresh in sufficient time for consideration through the normal committee and Council process;

Agenda item EOM 261020.10

6. if Blachere reports that the pre-existing display is unavailable, that irreversible action has occurred, or that it considers a contractual variation binding, no further commitment be made and the Clerk/RFO obtain the complete written position and return the matter to Council before any paid specialist advice is commissioned, unless such expenditure falls within an existing approved professional-advice budget and delegated limit;

7. Council authorises no additional expenditure or contractual variation at this meeting; and

8. all formal orders, acceptances, contractual variations and operative instructions concerning the 2026 lighting arrangements be issued through the Clerk/RFO within expressly recorded authority.