

SWINFEN AND PACKINGTON PARISH COUNCIL

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Our Ref: JM

09 January 2019

To: All Members of the Parish Council

Dear Councillor

You are hereby summoned to attend the Meeting of the Parish Council to be held in the Conference Room 1, Conference Centre, HMP Swinfen on Wednesday 16 January 2019 commencing 7:00 pm at which the business set out below will be transacted.

Yours sincerely

Jayne Minor (Ms)
Parish Clerk

AGENDA

PUBLIC FORUM

A maximum of 15 minutes will be allocated prior to the commencement of the meeting when members of the public may put questions/comments on any matter in relation to which the Parish Council has powers or duties which affect the area (see notes at the end of the Agenda).

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST AND DISPENSATION

To receive declarations of any personal or prejudicial interest under consideration on the Agenda in accordance with the Parish Town Councils (Model Code of Conduct) Order 2007.

3. MINUTES

To approve as a correct record the Minutes of the Meeting of the Parish Council held on 07 November 2018 [Minute Nos. 34-45] [ENCLOSURE].

4. CHAIRMAN'S ANNOUNCEMENTS

5. THE HIGH SPEED RAIL PLANS

Members are requested to debate the up to date position relating to the High Speed Rail Plans.

6. REVIEW OF FINANCIAL REGULATIONS

Members are requested to review the Parish Council's Financial Regulations which were adopted on 22 September 2010 [ENCLOSURE].

7. REVIEW OF STANDING ORDERS

Members are requested to review the Parish Council's Standing Orders which were adopted on 14 July 2010 (ENCLOSURE).

8. EXCLUSION OF THE PRESS AND PUBLIC

The Chairman will move:

That under the Public Bodies (Admissions to Meetings) Act 1960 (Section 2) (and as expanded by Section 100 of the Local Government Act 1972), the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

9. PARISH CLERK'S SALARY

Members are requested to approve the payment of the Parish Clerk's December 2018 and January 2019 salary [PINK ENCLOSURE].

10. DATE AND TIME FOR NEXT PARISH COUNCIL MEETINGS

The next Parish Council Meetings will be held on Wednesday 20 March 2019 and Wednesday 08 May 2019 in the Conference Room 1, Conference Centre, HMP Swinfen commencing 7:00 pm.

PUBLIC FORUM SESSION AT PARISH COUNCIL MEETINGS

Residents of Swinfen and Packington Parish Council have an opportunity to speak at each Parish Council meeting:

1. *The Public Forum session will usually be the first item on the Agenda.*
2. *The Public Forum will last up to 15 minutes and members of the public can ask the Parish Council a question (or make a statement).*
3. *Your statement or question must relate to a matter of special relevance to Swinfen and Packington or within the responsibility of the Parish Council.*
4. *Matters relating to the conduct of any individual councillor or officer will not be permitted – in such circumstances you should write to the Parish Council.*

5. *You will be allowed to speak for up to 3 minutes and you can raise more than one issue within the overall limit of 3 minutes allowed to you.*
6. *After each speaker the Chairman of the Parish Council (or his/her representative) will answer the question or give notice that he/she will provide a written answer as soon as possible.*

If a written answer is to be given this will be sent to you at your stated address.

**MINUTES OF THE SWINFEN AND PACKINGTON PARISH COUNCIL MEETING HELD AT THE
CONFERENCE ROOM 1, CONFERENCE CENTRE, HMP SWINFEN ON
WEDNESDAY 07 NOVEMBER 2018 COMMENCING AT 7.02 PM**

PRESENT

Councillor R Barnes in the Chair
Councillor Dyott

In attendance:

Ms J Minor, Parish Clerk
Mrs G Pope
Mr J Loescher

The Chairman welcomed Mrs Pope and Mr Loescher to the meeting.

34. APOLOGIES FOR ABSENCE

Councillors Armstrong and J Barnes.

35. DECLARATIONS OF INTEREST

None declared.

36. MINUTES

RESOLVED That the Minutes of the Meeting of the Parish Council held on 05 September 2018 [Minute No. 26-33] be approved as a correct record and signed by the Chairman.

37. CHAIRMAN'S ANNOUNCEMENTS

Packington Hall

The Chairman informed Members that he had received correspondence from the developer [Blue Marble Properties] which stated that planning permission had been granted by Lichfield District Council on 05 November 2018 [demolition of existing commercial/manufacturing units and existing dwelling house and change of use of Packington Hall to form 6 no. apartments and erection of 22 dwellings, garaging and associated works].

Bus Shelters

The Parish Clerk informed Members that the replacement bus shelter on the A51 was now bespoke and should be in place in the near future.

Elections 2019

The Parish Clerk informed Members that the Elections for Parish Councils across Staffordshire will be held on 02 May 2019.

38. THE HIGH SPEED RAIL PLANS

Councillor Dyott updated Members on the current situation and stated that more surveys were taking place.

RESOLVED That an item on the High Speed Rail Plans (HS2) continue to be included on the next agenda.

39. SCHEDULE OF PAYMENTS TO DATE

RESOLVED That the schedule of payments to date be received and noted.

40. BUDGET

RESOLVED That the Parish Clerk's report detailing actual to date figures [budget] be received and noted.

41. 2019/2020 PRECEPT ON LICHFIELD DISTRICT COUNCIL

RESOLVED Members felt that in light of Lichfield District Council withdrawing the council tax support grant in the sum of £325 in 2018/2019 then the level of precept to be declared on Lichfield District Council should be £5,000.

42. LOCAL GOVERNMENT PENSION SCHEME – EMPLOYER DISCRETIONS POLICY

Members were informed that all employers have a legal requirement under the Local Government Pension Scheme [LGPS] to prepare and publish their Employer Pension Discretions. Failure to formulate or review a policy is a breach of the LGPS regulations and, if material, would be reported to the Pensions Regulator. Staffordshire Pension Fund [SPF] will be reviewing its records of employer policies at the end of this scheme year [31 March 2019].

Members were informed that the Parish Council has a pension discretions policy in place already [adopted 02 July 2014] however it needs to be updated now to take account of revised LGPS regulations, primarily due to the move from a final salary scheme to a career average scheme.

RESOLVED That the Local Government Pension Scheme – Employer Discretions Policy be received and adopted.

43. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED That under the Public Bodies (Admissions to Meetings) Act 1960 (Section 2) (and as expended by Section 100 of the Local Government Act 1972),

the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

44. PARISH CLERK'S SALARY

RESOLVED That cheques be drawn in respect of the Parish Clerk's October 2018 [cheque number 100471] and November 2018 [cheque number 100472] salary, HMRC – December 2018 [cheque number 100474], Staffordshire Pension Fund – December 2018 [cheque number 100473], HMRC – January 2019 [cheque number 100476] and Staffordshire Pension Fund – January 2019 [cheque number 100475].

45. DATE, VENUE AND TIME FOR NEXT PARISH COUNCIL MEETING

RESOLVED (1) That Wednesday 16 January 2019, Wednesday 20 March 2019 and Wednesday 08 May 2019 in the Conference Room 1, Conference Centre, HMP Swinfen commencing 7pm be confirmed as the next Parish Council meetings.

(2) That Mrs Pope and Mr Loescher be invited to the next meeting of the Parish Council as observers only.

(The Meeting closed at 7.37 p.m.)

Signed Dated

**SWINFEN AND PACKINGTON
PARISH COUNCIL**

**FINANCIAL REGULATIONS
[ADOPTED 22 SEPTEMBER 2010]**

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1.0 GENERAL

- 1.1 These financial regulations govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
- 1.2 The Responsible Financial Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's affairs.
- 1.3 The RFO shall be responsible for the production of financial management information.
- 1.4 The Council shall be responsible for ensuring that the financial management is adequate and effective and that the Council has a system of internal controls which facilitates the effective exercise of its functions and which manages risk.
- 1.5 The Council shall review at least once a year the effectiveness of its systems of internal controls and shall produce a statement on internal control with its statement of accounts.

2.0 ANNUAL ESTIMATES

- 2.1 Each Committee (if any) shall formulate and submit proposals to the Council in respect of revenue and capital costs for the following financial year, not later than the end of November each year.
- 2.2 Detailed estimates of all receipts and payments for the year shall be prepared each year by the RFO.
- 2.3 The Council shall review the estimates not later than the end of January each year and shall fix the precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates (budgets).
- 2.4 The annual budgets shall form the basis of financial control for the ensuing year.
- 2.5 The Council shall prepare and have regard to, a three year forecast of Revenue and Capital Receipts and Payments, which shall be prepared at the same time as the annual Budget or Estimates.

3.0 BUDGETARY CONTROL

- 3.1 Expenditure on revenue items may be incurred up to the amounts included in the approved budget.
- 3.2 No expenditure may be incurred which exceeds the amount provided in the revenue budget unless a virement has been approved by the Council.
- 3.3 The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure against that planned.
- 3.4 The Clerk/RFO may incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement, or other work, which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the

expenditure, subject to a limit of £1,000. The Clerk/RFO shall report the action to the Council as soon as practicable thereafter.

- 3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless approved by the Council.
- 3.6 No expenditure shall be incurred in relation to any capital project and no contract entered into, or tender accepted involving capital expenditure, unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.7 All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4.0 ACCOUNTING AND AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO as required by the Local Audit and Accountability Act 2014 and any subsequent amendments thereto.
- 4.2 The RFO shall be responsible for completing the annual financial statements of the Council as soon as practicable, after the end of the financial year and shall submit them and report thereon to the Council.
- 4.3 The RFO shall be responsible for completing the accounts of the Council contained in the Annual Return and for submitting the Annual Return for approval and authorisation by the Council, within the timescale set by the Local Audit and Accountability Act 2014, or set by the Auditor.
- 4.4 The RFO shall be responsible for ensuring that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations, in accordance with Local Audit and Accountability Act 2014, and any subsequent amendments thereto. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council, which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 4.5 The Council shall carry out a review of the effectiveness of internal audit on an annual basis in accordance with the Local Audit and Accountability Act 2014, and any subsequent amendments thereto.
- 4.6 The Internal Auditor shall carry out the work required by the RFO and the Council, with a view to satisfactory completion of the Internal Auditor's Report section of the Annual Return. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to the Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.
- 4.7 The RFO shall make arrangements for the opportunity for inspection of the accounts, books and vouchers in accordance with the Local Audit and Accountability Act 2014, and any subsequent amendments thereto.

- 4.8 The RFO shall, as soon as practicable, bring to the attention of all Councillors, any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5.0 BANKING ARRANGEMENTS AND CHEQUES

- 5.1 The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
- 5.2 A schedule of the payments made since the previous meeting or required, forming part of the Agenda for the Meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to the Council and shall be initialled by the Chairman of the Meeting. If more appropriate, the details may be shown in the Minutes of the Meeting.
- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2, or in accordance with paragraph 6.4, shall be signed by two members of Council and the Parish Clerk.
- 5.4 To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice, or similar documentation, the signatories shall each also initial the cheque counterfoil.

6.0 PAYMENT OF ACCOUNTS

- 6.1 All payments shall be effected by cheque.
- 6.2 All invoices for payment shall be examined, verified and certified by the Clerk/RFO. The Clerk/RFO shall satisfy him/herself that the work, goods and services, to which the invoice relates, shall have been received, carried out, examined and approved.
- 6.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall take all steps to settle all invoices submitted, and which are in order, at the next available Council meeting.
- 6.4 If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled meeting of the Council, where the Clerk/RFO certify that there is no dispute or other reason to delay payment, the Clerk may (notwithstanding paragraph 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of the Council.
- 6.5 The Council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk/RFO (for example for postage or minor stationery items) shall be refunded on a regular basis.

7.0 PAYMENT OF SALARIES

- 7.1 The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating. Salaries shall be agreed by the Council.

- 7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates, provided that each payment is reported to, and ratified by, the next available Council Meeting.

8.0 LOANS AND INVESTMENTS

- 8.1 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 8.2 The Council's Investment Policy, shall be in accordance with the Trustee Act 2000, and shall be reviewed on a regular basis (at least annually).
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9.0 INCOME

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied, shall be agreed annually by the Council and notified to the RFO. The RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Council will review all fees and charges annually, following a report of the Clerk/ RFO.
- 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 9.5 All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers, with such frequency as the RFO considers necessary.
- 9.6 The origin of each receipt shall be entered on the paying in slip.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 Section 33 shall be made at least annually coinciding with the financial year end.
- 9.9 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council, to ensure that more than one person is present when the cash is counted in the first instance, that there is a

reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10.0 ORDERS FOR WORK, GOODS AND SERVICES

- 10.1 An official order or letter shall be issued for all work, goods and services, unless a formal contract is to be prepared, or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Order books (if used) shall be controlled by the RFO.
- 10.3 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable, that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minima* provisions in Regulation 11.1 below.
- 10.4 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11.0 CONTRACTS

- 11.1 Procedures as to contract are laid down as follows:-
- (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency, provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:-
- (i) for the supply of gas, electricity, sewerage and telephone services;
 - (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or for existing machinery or equipment or plant;
 - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - (v) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of this sum the Clerk/RFO shall act after consultation with the Chairman and Vice-Chairman of Council);
 - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- (b) Where it is intended to enter into a contract exceeding £20,000 in value, for the supply of goods or materials, or for the execution of works or specialist services other than such goods, materials, works or specialist services as are

excepted as set out in paragraph (a), the Clerk/RFO shall invite tenders from at least three companies to be taken from the appropriate approved list.

- (c) Where applications are made to waive financial regulations relating to contracts, to enable a price to be negotiated without competition, the reason shall be embodied in a recommendation to the Council.
- (d) Such invitation to tender shall state the general nature of the intended contract, and the Clerk/RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall, in addition, state that a tendering company shall be supplied with a specifically marked envelope, in which the tender is to be sealed, and remain sealed until the prescribed date for opening tenders for that contract.
- (e) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk/RFO in the presence of at least one member of Council.
- (f) If less than three tenders are received for contracts over £20,000, or if all the tenders are identical, the Council may make such arrangements as it thinks fit for procuring the goods or materials, or executing the works.
- (g) When it is to enter into a contract less than £20,000 in value for the supply of goods or materials, or for the execution of works or specialist services, other than such goods, materials, works or specialist services as are expected as set out in paragraph (a), the Clerk/RFO shall obtain three quotations (priced descriptions of proposed supply); where the value is below £5,000 and above £1,000, the Clerk or RFO shall strive to obtain three estimates. Otherwise, Regulation 10 (3) above shall apply.
- (i) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

12.0 PAYMENTS UNDER CONTRACT FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the Clerk/RFO, upon authorised certificates of the architect, or other consultants engaged to supervise the contract (subject to any percentage withholdings as may be agreed in the particular contract).
- 12.2 Where contracts provide for payment by instalments, the RFO shall maintain a record of all such payments. In any case, where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more, a report shall be submitted to the Council.
- 12.3 Any variations to a contract or addition to or omission from a contract, must be approved by the Council and the Clerk/RFO in writing to the Contractor, the Council being informed where the final cost is likely to exceed the financial provision.

13.0 STORES AND EQUIPMENT

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

- 13.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered, and goods must be checked as to order and quantity at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4 The Clerk/RFO shall be responsible for periodic checks of stocks and stores at least annually.

14.0 PROPERTIES

- 14.1 The Clerk/RFO shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which, held in accordance with Local Audit and Accountability Act 2014.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible, movable property, does not exceed £50.

15.0 INSURANCE

- 15.1 Following an annual risk assessment, the Clerk/RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- 15.2 The Clerk/RFO shall give prompt notification to the Council of all new risks, properties or vehicles, which require to be insured, and of any alterations affecting existing insurances.
- 15.3 The Clerk/RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby, and annually review it.
- 15.4 The Clerk/RFO shall be notified of any loss, liability or damage, or of any event likely to lead to a claim, and shall report these to the Council at the next available meeting.
- 15.5 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance, which shall cover the maximum risk exposure as determined by the Council.

16.0 CHARITIES

- 16.1 Where the Council is sole trustee of a charitable body, the Clerk/RFO shall ensure that separate accounts are kept of the funds held on charitable trusts, and separate financial reports made in such form as shall be appropriate, in accordance with the Charity Law and legislation, or as determined by the Charity Commission. The Clerk/RFO shall arrange for any Audit, or Independent Examination, as may be required by Charity Law, or any Governing Document.

17.0 RISK MANAGEMENT

- 17.1 The Clerk/RFO shall prepare and promote risk management policy statements in respect of all activities of the Council.
- 17.2 When considering any new activity, the Clerk/RFO shall prepare a draft Risk Management Policy for the activity, and shall bring a draft addressing the legal and financial liabilities and Risk Management issues that arise to Council for consideration and, if thought appropriate, adoption.
- 17.3 The Council shall carry out a Financial Risk Assessment on an annual basis in accordance with the Local Audit and Accountability Act 2014, and any subsequent amendments thereto. The Minutes shall record such review of the financial risks.

18.0 REVISION OF FINANCIAL REGULATIONS

- 18.1 It shall be the duty of the Council to review the Financial Regulations of the Council from time to time.

**SWINFEN AND PACKINGTON
PARISH COUNCIL**

**STANDING ORDERS
[ADOPTED 14 JULY 2010]**

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Mandatory for full Council meetings ●

1. MEETINGS

- a. **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.** ●

Meetings of the Parish Council shall normally be held at the Conference Room 1, Conference Centre, HMP Swinfen, or other venue approved by the Council, on Wednesdays at 7.00 p.m. unless the Parish Council otherwise direct.

- b. **When calculating the 3 clear days for notice of a meeting to Councillors and public, the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.** ●
- c. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.** ●
- d. Subject to standing order 1 c. above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included on the agenda.
- e. The period of time which is designated for public participation in accordance with standing order 1 d. above shall not exceed 15 minutes.
- f. Subject to standing order 1 e. above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.
- g. In accordance with standing order 1 d. above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h. In accordance with 1 g. above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written response.
- i. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j. A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.
- k. Any person speaking at a meeting shall address his comments to the Chairman.
- l. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

- m. **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent. ●**
- n. **In accordance with standing order 1 c. above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present. ●**
- o. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman. ●**
- p. **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting. ●**
- q. **Subject to model standing order 1 x. below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon. ●**
- r. **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. ●**
- s. **Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda. ●**
- t. **The minutes of a meeting shall record the names of Councillors present and absent. ●**
- u. **The Code of Conduct adopted by the Parish Council shall apply to Councillors in respect of the entire meeting. ●**
- v. **An interest arising from the Code of Conduct adopted by the Parish Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. ●**
- w. **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3. ●**
- x. **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting. ●**

2. ORDINARY COUNCIL MEETINGS

- a. **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office. ●**
- b. **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct. ●**
- c. **If no other time is fixed, the annual meeting of the Council shall take place at 7 p.m. ●**
- d. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs. ●**
- e. **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council. ●**
- f. **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council. ●**
- g. **The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council. ●**
- h. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes. ●**
- i. **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes. ●**
- j. Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows:
 - i. Delivery by councillors of their declarations of acceptance of office.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive.
 - iii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - iv. Review of the Council's membership of other bodies.

3. PROPER OFFICER

- a. The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b. The Council's Proper Officer shall do the following:
 - i. **Sign and serve on Councillors by delivery or post or email at their residence a summons confirming the time, date, venue and the agenda of a meeting of the Council at least three clear days before the meeting. ●**
 - ii. **Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council (provided that public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them). ●**
 - iii. Subject to standing orders 4 a. – 4 e. below, include in the agenda all motions in the order received unless a Councillor has given written notice at least seven days before the meeting confirming his withdrawal of it.
 - iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3 b. i. above. ●**
 - v. Make available for inspection the minutes of meetings.
 - vi. **Receive and retain copies of byelaws made by other local authorities. ●**
 - vii. **Receive and retain declarations of acceptance of office from Councillors. ●**
 - viii. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - ix. Keep proper records required before and after meetings.
 - x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
 - xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
 - xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

- xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*see also model standing orders 14 a. and b.*).
- xiv. Arrange for the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.
- xvi. Refer a planning application received by the Council to the Chairman or Vice Chairman of the Council within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xvii. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4. MOTIONS REQUIRING WRITTEN NOTICE

- a. In accordance with standing order 3 b. iii. above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 14 clear days before the next meeting.
- b. The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4 a. above, correct obvious grammatical or typographical errors in the wording of the motion.
- c. If the Proper Officer considers the wording of a motion received in accordance with standing order 4 a. above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 10 clear days before the meeting.
- d. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting to consider whether the motion shall be included or rejected in the agenda.
- e. Having consulted the Chairman pursuant to standing order 4 d. above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f. Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g. Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.

- h. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5. MOTIONS NOT REQUIRING WRITTEN NOTICE

- a. Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - x. To authorise legal deeds to be signed by two councillors or witnessed.
 - xi. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xii. To extend the time limit for speeches.
 - xiii. To exclude the press and public from all or part of a meeting.
 - xiv. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xv. To give the consent of the Council if such consent is required by standing orders.
 - xvi. **To suspend any standing order except those which are mandatory by law. ●**
 - xvii. To adjourn the meeting.
 - xviii. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xix. To answer questions from Councillors.

6. RULES OF DEBATE

- a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b. Subject to standing orders 4 a. – 4 e. above, a motion shall not be considered unless it has been proposed and seconded.
- c. Subject to standing order 3 b. iii. above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e. A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f. Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- g. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i. Subject to Standing Order 6 h. above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j. Pursuant to standing order 6 h. above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m. The mover of a motion or the mover of an amendment shall have a right to reply, not exceeding 15 minutes.

- n. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o. Subject to standing orders 6 m. and 6 n. above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q. A point of order shall be decided by the Chairman and his decision shall be final.
- r. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s. Subject to standing order 6 o. above, when a councillor's motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- t. In respect of standing order 6 s. iv. above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right to reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right to reply at the resumption.

7. CODE OF CONDUCT

- a. **All councillors shall observe the code of conduct adopted by the Council. ●**
- b. **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No. 1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7 c. below only if members of the public are permitted to:**
 - i. **make representations;**
 - ii. **answer questions and**
 - iii. **give evidence relation to the business being transacted. ●**
- c. **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may:**
 - i. **make representations;**
 - ii. **answer questions and**
 - iii. **give evidence relation to the business being transacted but must, thereafter, leave the room or chamber. ●**

8. QUESTIONS

- a. A councillor may seek an answer to a question concerning any business of the Council provided 14 clear days notice of the question has been given to the Proper Officer.
- b. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c. Every question shall be put and answered without discussion.

9. MINUTES

- a. If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b. No discussion on the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5 a. iv. above.
- c. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The Chairman of this meeting does not believe that the minutes of the meeting of the Parish Council held on [date] in respect of [minute number] were a correct record but his view was not upheld by the majority of the Parish Council and the minutes are confirmed as an accurate record of the proceedings."

- e. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10. DISORDERLY CONDUCT

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b. If, in the opinion of the Chairman, there has been a breach of standing order 10 a. above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c. If a resolution made in accordance with standing order 10 b. above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11. RESCISSION OF PREVIOUS RESOLUTIONS

- a. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 3 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b. When a special motion or any other motion moved pursuant to standing order 11 a. above has been disposed of, no similar motion may be moved within a further 6 months.

12. VOTING ON APPOINTMENTS

- a. Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

13. EXPENDITURE

- a. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b. **The Council's financial regulations shall be reviewed once a year. ●**

- c. **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee. ●**

14. EXECUTION AND SEALING OF LEGAL DEEDS

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. **In accordance with a resolution made under standing order 14(a) above, any two members of the council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures. ●**

15. EXTRAORDINARY MEETINGS

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time. ●**
- b. **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors. ●**

16. ACCOUNTS AND FINANCIAL STATEMENTS

- a. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.

17. ESTIMATES/PRECEPTS

- a. **The Council shall approve written estimates for the coming financial year ● at its meeting before the end of January.**

18. CONVAISSING OF AND RECOMMENDATIONS BY COUNCILLORS

- a. Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b. A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c. This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

19. INSPECTION OF DOCUMENTS

- a. Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

20. UNAUTHORISED ACTIVITIES

- a. Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

21. CONFIDENTIAL BUSINESS

- a. Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b. A Councillor in breach of the provisions of Standing Order 24 a. above may be removed from a committee or a sub-committee by a resolution of the Council.

22. POWER OF WELL-BEING (ENGLAND)

- a. **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council. ●**
- b. **The Council's period of eligibility begins on the date that the resolution under Standing Order 25 a. above was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary elections. ●**
- c. **After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 25 b. above. ●**

23. MATTERS AFFECTING COUNCIL EMPLOYEES

- a. If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to Standing Order 1 c. above.

- b. Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Council at its next meeting.
- c. The Chairman of Council or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Parish Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Council.
- d. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee shall contact the Chairman of the Council or in his absence, the Vice-Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e. Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Parish Clerk relates to the Chairman or Vice-Chairman of the Council, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the Council.
- f. Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g. The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i. Only persons with line management responsibilities shall have access to employee records referred to in Standing Orders 26 g. and 26 h. above if so justified.
- j. Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 26 g. and 26 h. above shall be provided only to Parish Clerk and/or the Chairman of the Council.

24. FREEDOM OF INFORMATION ACT 2000

- a. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council. The said Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under Standing Order 3 b. x. above.

25. RELATIONS WITH THE PRESS/MEDIA

- a. All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b. In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

26. LIAISON WITH DISTRICT AND COUNTY COUNCILLORS

- a. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the District and County representing its electoral ward.
- b. Unless the Council otherwise orders, a copy of each letter sent to the District or County shall be sent to the District or County or Unitary Council Councillor representing its electoral ward.

27. FINANCIAL MATTERS

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include details arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to standing order 27 b. below including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
- b. **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £5,000 shall be procured on the basis of a formal tender as summarised in Standing Order 30 c. below. ●**
- c. Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;

- iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of the Council.
- d. Neither the Council, nor any Committee, is bound to accept the lowest tender, estimate or quote.
- e. **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules. ●**

28. ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

- a. On receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer shall refer it to the Council.
- b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this Standing Order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c. Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d. The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
 - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii. Ensure that any background papers containing the information set out in Standing Order 28 a. above are not made public.
 - iii. Ensure that the public and press are excluded from meetings as appropriate.
 - iv. Ensure that the minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

- e. Standing Order 28 d. above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Council) from disclosing information to members of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f. The Council shall have the power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- g. References to Standing Order 28 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the Code of Conduct by a Councillor.

29. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- a. Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b. A motion to permanently add to or to vary or to revoke one or more of the Council's Standing Orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting of the Council vote in favour of the same.

30 STANDING ORDERS TO BE GIVEN TO COUNCILLORS

- a. The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his declaration of acceptance of office.
- b. The Chairman's decision as to the application of Standing Orders at meetings shall be final.
- c. A Councillor's failure to observe Standing Orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with Standing Orders.