FOUR-WEEKLY CYCLE

Tuesday	26-May	Town Council (AGM)	4th Tuesday - meeting must be in May
Tuesday	02-Jun	Planning	1st Tuesday
Wednesday	03-Jun	Crime and Safety	1st Wednesday
Tuesday	09-Jun	Comm and Events	2nd Tuesday
Wednesday	10-Jun	Finance	2nd Wednesday
Tuesday	23-Jun	Town Council	4th Tuesday
Tuesday	07-Jul	Planning	1st Tuesday
Wednesday	08-Jul	Crime and Safety	1st Wednesday
Tuesday	14-Jul	Comm and Events	2nd Tuesday
Wednesday	15-Jul	Finance	2nd Wednesday
Tuesday	29-Jul	Town Council	4th Tuesday
Tuesday	04-Aug		No meeting
Wednesday	05-Aug		No meeting
Tuesday	11-Aug		No meeting
Wednesday	12-Aug		No meeting
Tuesday	25-Aug	Town Council	4th Tuesday
Tuesday	01-Sep	Planning	1st Tuesday
Wednesday	02-Sep	Crime and Safety	1st Wednesday
Tuesday	08-Sep	Comm and Events	2nd Tuesday
Wednesday	09-Sep	Finance	2nd Wednesday
Tuesday	22-Sep	Town Council	4th Tuesday
Tuesday	06-Oct	Planning	1st Tuesday
Wednesday	07-Oct	Crime and Safety	1st Wednesday
Tuesday	13-Oct	Comm and Events	2nd Tuesday
Wednesday	14-Oct	Finance	2nd Wednesday
Tuesday	27-Oct	Town Council	4th Tuesday
Tuesday	03-Nov	Planning	1st Tuesday
Wednesday	04-Nov	Crime and Safety	1st Wednesday
Tuesday	10-Nov	Comm and Events	2nd Tuesday
Wednesday	11-Nov	Finance	2nd Wednesday
Tuesday	24-Nov	Town Council	4th Tuesday
Tuesday	02-Dec	Planning	1st Tuesday
Wednesday	03-Dec	Crime and Safety	1st Wednesday
Tuesday	09-Dec	Comm and Events	2nd Tuesday
Wednesday	10-Dec	Finance	2nd Wednesday
Tuesday	16-Dec	Town Council	4th Tuesday - one week early

2016

Tuesday	12-Jan	Planning	2nd Tuesday
Wednesday	13-Jan	Crime and Safety	2nd Wednesday
Tuesday	19-Jan	Comm and Events	2nd Tuesday
Wednesday	20-Jan	Finance	2nd Wednesday
Tuesday	26-Jan	Town Council	4th Tuesday
Tuesday	02-Feb	Planning	1st Tuesday
Wednesday	03-Feb	Crime and Safety	1st Wednesday
Tuesday	09-Feb	Comm and Events	2nd Tuesday
Wednesday	10-Feb	Finance	2nd Wednesday
Tuesday	23-Feb	Town Council	4th Tuesday
Tuesday	02-Mar	Planning	1st Tuesday
Wednesday	03-Mar	Crime and Safety	1st Wednesday
Tuesday	09-Mar	Comm and Events	2nd Tuesday
Wednesday	10-Mar	Finance	2nd Wednesday
Tuesday	23-Mar	Town Council	4th Tuesday
Tuesday	05-Apr	Planning	1st Tuesday
Wednesday	06-Apr	Crime and Safety	1st Wednesday
Tuesday	12-Apr	Comm and Events	2nd Tuesday
Wednesday	13-Apr	Finance	2nd Wednesday
Tuesday	26-Apr	Town Council	4th Tuesday
Tuesday	03-May	Planning	1st Tuesday
Wednesday	04-May	Crime and Safety	1st Wednesday
Tuesday	10-May	Comm and Events	2nd Tuesday
Wednesday	11-May	Finance	2nd Wednesday
Tuesday	17-May	Annual Parish Meeting	must be between 1 March and 1 June
Tuesday	24-May	Town Council (AGM)	4th Tuesday - meeting must be in May

ITEM 7

STANLEY TOWN COUNCIL

To: **Town Council**

Date: **26th May 2015**

From: **D Shingleton, Acting Town Clerk**

Subject: **CONSTITUTION AND OTHER POLICIES**

INTRODUCTION

1. The purpose of the Constitution is to set out what Stanley Town Council does, who pays, who decides and how the Council operates. It makes reference to a number of Governance Documents, which are the policies and procedures which set the environment in which the Council discharges its duties and powers. It also includes a scheme of delegation for Committees and officers.

CONSTITUTION

2. I have made no changes to the Constitution which was agreed last year. The format is as follows:

   2.1 Section 1 describes the purpose of the Constitution and what it contains;
   2.2 Section 2 provides a brief general background to local government in County Durham;
   2.3 Section 3 provides some background relating specifically to Stanley Town Council, including its history;
   2.4 Section 4 provides a brief summary of the services which Stanley Town Council provides;
   2.5 Section 5 details the financial arrangements which provide the funding of the Council's services;
   2.6 Section 6 describes the democratic arrangements in place in the Council;
   2.7 Section 7 details how the Council operates, including its Committee structure and the role of the statutory officers which the Council must have;
   2.8 Section 8 lists a series of governance documents which, ideally, the Council should have in place to support and supplement the Constitution. Apart from the Constitution itself, only Standing Orders, Financial Regulations, the Child & Vulnerable Adult Protection Policy, Social Media Policy, Recording Council Meetings Policy, Anti-Fraud and Corruption Policy and, of course, the budget have been prepared or reviewed while I have been involved with the Council. Those documents which most effectively complement the Constitution are the Standing Orders and Financial Regulations. Work will be undertaken through the year to either review those documents which already exist, or to create

new policies and procedures where required. There may be others to add to the list.

2.9 Appendix 1 provides a list of the powers and duties which parish (town) councils can provide, and the statutory provision.

2.10 Appendix 2 provides details of the Committee structure and the extent of delegated powers to these Committees. Members are free to change this scheme of delegation in whatever way they agree. In considering this, I would suggest that Members bear in mind the extent to which delegation allows the Council and its Committees to operate effectively, but within an overall framework that ensures controls exist in the right places.

2.11 Appendix 3 details the extent of delegated powers and duties to the Town Clerk. It is not meant to be a repeat of the job description for the post, which is a different thing.

3. In the light of the end of the five year strategic plan, the review of the enhanced services and the need for an update of the public consultation exercise to revisit priorities, it may be the right time to review the effectiveness of the current Committee structure. However, with the new Town Clerk starting on 13 July it may be worth waiting until later in the year to do this.

STANDING ORDERS

4. It is normal practice for Councils to agree their Standing Orders annually at the AGM, even if there have been no changes since they were last agreed. This year the only change I have made is to amend Section 3.12 to reflect the new requirements for recording meetings of the Council and its Committees.

FINANCIAL REGULATIONS

5. As with Standing Orders, many Councils re-approve their Financial Regulations at the AGM. I have made several changes to the document, mainly to reflect current practices. However, I would welcome the opportunity to discuss Financial Regulations with the new Town Clerk, as RFO, before a final version is produced.

COMPLAINTS PROCEDURE

6. I have not looked at the Council's Complaints Procedure but Members may wish it to be reviewed once the new Town Clerk takes up his position.

PRESS AND MEDIA POLICY

7. Although Standing Orders require a review of the Council's Press and Media Policy I cannot located such a document and this will need to be prepared.

FREEDOM OF INFORMATION/DATA PROTECTION POLICY

8. Standing Orders also require the Policy on Freedom of Information requests and Data Protection issues to be reviewed. I have attached the documents I can find and Members may wish these to be updated.

RECOMMENDATIONS

9. I RECOMMEND that Members:

a) Agree the current Committee structure and consider deferring any further review of the Constitution until the new Town Clerk has had the chance to consider it;
b) Approve the Standing Orders, subject to any agreed changes;
c) Approve the current Financial Regulations, subject to any agreed changes;
d) Consider whether a review of the Complaints Procedure is required;
e) Consider the need to update Policies on FOI requests and Data Protection, and the establishment of a Press and Media Policy.

Derek Shingleton
Acting Town Clerk

ITEM 7.1.a

STANLEY TOWN COUNCIL

CONSTITUTION

1. INTRODUCTION

1.1 Local Councils are not required by law to adopt a constitution. However, many councils recognise that it is a valuable document which helps everyone understand how they are set up, how they make decisions, how they are financed, how they are governed, the roles of members and officers and what services they provide to the community. Even though a local council is not required by law to have a constitution, many of these procedures within local councils are governed by legislation (primarily the Local Government Act 1972).

1.2 Stanley Town Council has decided that a Constitution is required for the reasons outlined above. It is a living document, which is regularly reviewed and confirmed at each Annual General Meeting. It contains details of who or what body, within the Council, can make various decisions. It contains procedural rules which apply to the conduct of meetings of the Full Council and its Committees (Standing Orders). It also contains guidance to ensure the sound management of the Council's financial affairs and rules that apply to the letting of contracts for the ordering of goods, works and services (Financial Regulations; Standing Orders Relating to Contracts). In addition, it includes a number of other policies and procedures which assist in the efficient management of the Council.

2. BACKGROUND - GENERAL

2.1 In County Durham there is only one principal authority, Durham County Council, which is responsible for all major services, including Education, Housing, Social Services, Highways, Planning, Refuse Collection etc. The Council was created on 1 April 2009 following the abolition of the seven existing District Councils. Full details of County Council services are provided on their website.

2.2 Below the County Council are over 150 parish and town councils, which are the most local form of government. Like all Councils, these are created by statute and they can only carry out the services the law allows them to do. However, the Localism Act 2011 introduced a general power of competence for certain qualifying councils. There are very few legal duties on local councils but they have a wide range of powers, and details are provided in Appendix 1.

3. BACKGROUND – STANLEY TOWN COUNCIL

3.1 Stanley as a small settlement is of ancient origin. It was first mentioned in 1211 as 'Stanlegh', which is derived from Old English, 'Staenig-leah', meaning stony clearing or stanig and hlaw, meaning stone hill and was probably an Anglo-Saxon settlement.

3.2 Today, Stanley is a former colliery town and civil parish in County Durham, in the North-East of England. Centred on a hilltop between Chester-le-Street and Consett, the town lies south west of Gateshead. It now stretches into what were formerly neighbouring villages and towns such as Annfield Plain to the west and Beamish and Pelton to the east.

3.3 The town's main shopping area, Front Street, is pedestrianised, housing independent shops alongside larger chains. Stanley market is held on Front Street on Thursdays and Saturdays. Refurbishment of Stanley town centre in recent years has seen the opening of a new solar-powered bus interchange, new health centre and a Sure Start children's centre. The Louisa Centre leisure facility incorporates a large swimming pool.

3.4 Stanley Town Council was created by Statutory Instrument (No: 1185, Local Government, England) dated 11th April 2007, in direct response to a public petition by residents of the Stanley area. It came into being on 1 April 2009. It serves a population of around 31,000, and is the largest local council in County Durham. The Council is an elected body and is the tier of local government closest to the community.

4. WHAT THE COUNCIL DOES

4.1 One of the first acts of the newly elected Town Councillors in 2008 was to prepare a Strategic Town Plan covering the period from the Council's creation in 2009 to the year 2014. It used existing information on the views, priorities and ambitions of the people of the Stanley area and was supplemented with comprehensive surveys of local people and other stakeholders to ensure that views were as up to date as possible. As a result the Council provides the following services:

- ✓ **An enhanced neighbourhood warden service** – the Town Council provides the County Council with funding to employ additional wardens in the Stanley Town Council area. Their wide-ranging role involves working with residents and communities where possible in order to improve the local environment, and reduce the level of anti-social behaviour.
- ✓ **Environmental Caretakers** - the Town Council provides the funding needed to enable Groundwork to employ two full time Environmental Caretakers who concentrate exclusively on the Town Council's designated

areas. In a nutshell, their role is to get those little 'odd jobs' done before they become a nuisance to local residents or get worse or more costly to deal with at a later date. The contract also provides for two Apprentices to be trained “on the job”.

- ✓ **Civic Pride** - this is a long term initiative to promote cleaner, safer, greener neighbourhoods for everyone. Essentially this means educating and promoting how we can improve our Environment, with everyone working together on a day to day basis, to look after the environment we live in.
- ✓ **Events and Activities** – the Town Council has provided financial support for events such as an annual Music Festival, Brass Band Festival, Horticultural Show, Bonfire Night and Christmas Festival.
- ✓ **Regeneration** – funding has been made available to assist the County Council in improving Stanley Front Street, including resurfacing works, street furniture and street lighting. Where funding allows, the Council will work with partners to continue regeneration work.
- ✓ **Support For Local Groups** – through the Members Initiative Fund, where Councillors have a budget to support local groups in their Ward, thousands of pounds have been made available for groups involved in a wide variety of activities.
- ✓ **Civic Hall** – in August 2013 the Town Council took over the management of the County Council-owned Civic Hall (formerly Lamplight Arts Centre). It is the Town Council’s ambition to make this a popular community venue for the people of the area. A range of functions and activities will be encouraged, including weddings, parties and anniversary celebrations; shows and pantomimes; a re-introduction of film shows; meetings for conferences and seminars etc.
- ✓ **Communication** – consultation in 2008 revealed that people wanted more information and the Council responded by having its own website, newsletter and annual report. Steps are being taken to continually improve these ways of communicating with our residents.

5. WHO PAYS

5.1 Since it became operational in 2009, the Town Council has raised approximately £800,000 each year to fund its services. Until the financial year starting on 1 April 2013, this funding came entirely from the Council Tax paid by the residents of the area. The Council Tax is collected by the County Council and paid over to the Town Council in the form of a “Precept” in April and October.

5.2 From the 1 April 2013 changes introduced by the Government to the way in which Council Tax Benefits are paid meant that the amount the Council could raise from Council Tax fell significantly. The shortfall is met by a grant from Durham County Council, although this does not cover the full amount of the shortfall.

5.3 Since taking over the management of the Civic Hall income is now received in the form of hire charges and bar sales arising from bookings at the Hall.

5.4 The Town Council receives no grant of any sort from Central Government.

6. WHO DECIDES

6.1 The Council is made up of twenty Councillors who are elected in May every four years by the residents of the town council area who are on the Electoral Register. Councillors have an over-riding duty to the whole community, but have a special duty to the residents of the Ward that they represent.

6.2 The Council area is made up of seven Wards, each electing a number of Councillors as follows:

Annfield Plain Ward	3 Councillors
Catchgate Ward	2 Councillors
Craghead & South Stanley Ward	2 Councillors
Havannah Ward	3 Councillors
Stanley Hall Ward	4 Councillors
South Moor Ward	3 Councillors
Tanfield Ward	3 Councillors

6.3 The Council is committed to making a positive difference to the local community that it represents. It aims to be a modern, forward-thinking and effective local decision maker, and acts as a focus - a “sounding board” - for local opinion providing a way to get things done which best suits the needs of the local community. It does this by recognising it can’t do everything itself, and works with other agencies (such as the Police), local voluntary organisations and other tiers of government with the aim of improving local services and amenities. This may include the Council providing services and taking a stake in land/or property assets.

6.4 The Town Council has overall legal responsibility for all decisions made on behalf of the residents of Stanley. It can, however, delegate decisions to Committees, Sub-Committees and the “Proper Officer” (the Town Clerk).

7. HOW THE COUNCIL OPERATES

7.1 Under Schedule 12, Part ll of the Local Government Act 1972 the Council must hold an annual general meeting and at least three other meetings in any year. A Chair of the Council is elected at each Annual General Meeting and serves for a period of one year. The Chair, if present, must preside at all meetings of the Council or, in his/her absence, the Vice Chair will preside.

7.2 The Council itself can make all of the policy and other decisions within the powers given to local councils by law. However, under Section 101 (1) of the Local Government Act 1972, it can also establish Committees and Sub-Committees to make decisions on issues specifically delegated by the Council, or only to make recommendations on these issues, or a combination of both. Chairs of any Committee established are also elected at the Annual General Meeting, although the Chair of any Sub-Committee or Working Group is elected by that particular body.

7.3 The following matters cannot be delegated to a Committee, Sub-Committee or Officer of the Council:

- ✓ The borrowing of money.
- ✓ The setting of a precept.
- ✓ The disposal of land, other than lettings for two years or less.
- ✓ The introduction of new major policy or a material change in the Council's established policy.
- ✓ The making of byelaws.
- ✓ The purchase of land not provided for, or at a cost in excess of a sum previously allowed for.

7.4 Stanley Town Council has established a number of Committees to make decisions and recommendations regarding the policies and services which it provides. Details of the scheme of delegation are given in Appendix 2 below. The current Committees are:

- ✓ Communication and Events Committee
- ✓ Crime and Community Safety Committee
- ✓ Planning Committee
- ✓ Finance and General Purposes Committee
- ✓ Personnel Committee

7.5 The Council, or any of the above Committees, can appoint sub-committees to consider issues delegated to them by the parent committee. The Council currently has no Sub-Committees but a Management Board (Working Group) exists to oversee the management of the Civic Hall.

7.6 The Council and its Committees meet monthly (excluding August when there is a recess), with the exception of the Personnel Committee which meets as and when required. Meetings are open to the public and press, although there may be occasions when matters need to be discussed in private and the press and public will be excluded.

7.7 The Council is required by law to appoint a “Proper Officer” and a “Responsible Financial Officer”. It can appoint such additional officers as it requires to deliver its services. Stanley Town Council employs a Town Clerk who fulfils the role of both Proper Officer and Responsible Financial Officer.

7.8 All of the Council's officers are employed to deliver the Council's services in line with the policies or direction determined by the Members at meetings of the Council and its Committees. They advise Members on policy issues and the statutory requirements the Council has to meet. In addition, the Town Clerk, as Proper Officer, is by law required to undertake certain functions, both administratively and financially, and these are detailed in Appendix 4.

8. Role of Members and Officers

8.1 To ensure good governance and the effective running of the Council it is important to understand the respective roles of Members and officers. They are both servants of the public, and they are indispensable to one another, but their responsibilities are distinct.

8.2 Members are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council. Their job is to give advice to Members and to the Council, and to carry out the Council's work under the direction and control of the Council and its relevant Committees.

8.3 Mutual trust and respect between Members and officers is essential.

Members

8.4 Members have four main areas of responsibility, which can be summarised as follows:

a) To determine council policy and provide community leadership;
b) To monitor and review council performance in delivering services;
c) To represent the Council externally; and
d) To act as advocates for their constituents.

8.5 In more detail, a Member should be concerned with most or all of the following:

a) To be involved actively and constructively in the government of the Town;
b) To participate fully in the formation and scrutiny of the Town Council's strategies, policies, budgets and service delivery, including the Town Plan;
c) To ensure, with other Members, that the Town Council is properly managed;
d) To keep up to date with significant developments affecting local councils;
e) To be accessible to the electorate of the ward for which the Member is elected, to represent their views and to be receptive to complaints, questions and suggestions;
f) To represent the whole electorate and reflect their views in considering Council policies and actions;
g) To attend Council meetings (**a statutory requirement**);
h) To adequately prepare for Council meetings by reading reports and being properly informed on the matters to be discussed;

i) To take part in meetings, form a view on what is best for the community and then abide by majority decisions taken;
j) To represent the Council on outside bodies;
k) To abide by the Council's Code of Conduct (**a statutory requirement**).

8.6 All Members have the same rights and obligations in their relationship with the Town Clerk and other officers, regardless of their status or political party and must be treated equally.

8.7 Individual Members:

a) **must not** involve themselves in the day to day running of the Council. This is the Town Clerk's responsibility, and he/she will be acting on instructions from the Council or its Committees, within an agreed job description;

b) **do not have and cannot be given** any powers to make decisions on behalf of the Council, including decisions which result in financial commitments for the Council. This includes the Chair of the Council, although he/she does have personal responsibilities in connection with the running of formal meetings (see also Appendix 3).

8.8 There should be no room for party politics in determining the strategies, policies, budgets and services which are in the best interests of the people of the Stanley Town Council area.

Officers

8.9 In general, it is the role of officers to provide information and advice to Members, and to implement policies agreed by the Council. The Town Clerk has the senior role in ensuring that Council decisions are implemented and the operation of the Council is effectively managed. His/her duties are wide and varied, some of which are statutory, and cover financial, legal, secretarial and administrative functions, as well as line managing the other officers. (see also Appendix 4).

8.10 Other officers carry out the duties as summarised in their job descriptions.

8.11 In giving advice to Members, and in preparing and presenting reports, it is the responsibility of an officer to express his/her professional views and to make recommendations. An officer may report the views of individual Members on an issue, but the recommendations should be the officer's own. If a Member wishes to express a different view they must not pressurise the officer to make a recommendation contrary to the officer's view.

9. Governance Documents

9.1 The Council has a number of documents which set the environment in which the Council discharges its duties and powers. They are the internal rules, practical arrangements and processes which are essential to those who form

and work for the Council. Members and officers should be able to demonstrate compliance with the governance documents in relation to all activities, decisions and decision making processes.

9.2 The governance documents are:

- ✓ The Constitution, including the Scheme of Delegation
- ✓ Standing Orders
- ✓ Financial Regulations
- ✓ Member Code of Conduct
- ✓ Treasury Management Policy
- ✓ Budget
- ✓ Publications Scheme
- ✓ Complaints Procedure
- ✓ Gifts and Hospitality
- ✓ Member/Officer Relations
- ✓ Bullying and Harassment Policy
- ✓ Grants Policy
- ✓ Whistleblowing Policy
- ✓ Anti-Fraud and Corruption Policy
- ✓ Child and Vulnerable Adult Protection Policy
- ✓ Health and Safety Policy
- ✓ Risk Management Strategy
- ✓ Media Policy, including Social Media
- ✓ Business Continuity Policy
- ✓ Data Protection Policy

9.3 Not all of these documents are currently in place and there may be others added to the list as time progresses. It is not the purpose of this part of the Constitution to repeat the content of these documents. However, they are available from the Town Council when complete.

9.4 The documents will be kept under regular review and any amendments must be approved by the Full Council.

APPENDIX 1

LIST OF PARISH COUNCIL POWERS

Function	Powers & Duties	Statutory Provisions
Allotments	Duty to provide allotments. Power to improve and adapt land for allotments, and to let grazing rights	Small Holding & Allotments Act 1908, ss. 23, 26, and 42
Baths and washhouses	Power to provide public baths and washhouses	Public Health Act 1936, ss. 221, 222, 223 and 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1 Local Government Act 1972, s. 214(6)
Bus shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4
Bye-laws	Power to make bye-laws in regard to pleasure grounds Cycle parks Baths and washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Common pastures	Powers in relation to providing common pasture	Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime	Local Government and Rating Act 1997, s.31

	Power to contribute to police services e.g. PCSOs	Police Act 1996, s.92
	Duty on Parish Councils to consider crime reduction in every policy and action	s17 Crime and Disorder Act 1998 (as amended)
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260
Dogs	Power to make a Dog Control Order	Cleaner Neighbourhoods and Environment Act 2005
	Power to take enforcement action against those who commit an offence against a Dog Control Order	
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Flyposting and Graffiti	Power to take enforcement action against those that flypost or graffiti	Cleaner Neighbourhoods and Environment Act 2005
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	Power to maintain footpaths and bridle-ways	Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3;
	Power to light roads and public places	Highways Act 1980, s.301
	Provision of litter bins	Litter Act 1983, ss.5,6
	Powers to provide parking places for bicycles and motor-cycles, and other vehicles	Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72
	Power to enter into agreement as to dedication and widening	Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116
	Power to provide roadside seats and shelters	Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72
	Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway	Highways Act 1980, s.96
	Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes	
	Power to provide traffic signs and other objects or devices warning of danger	
	Power to plant trees and lay out grass verges etc. and to maintain them	
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to	Local Government Act 1972, ss.124,

	appropriate, to dispose of Power to accept gifts of land	126, 127 Local Government Act 1972, s.139
Litter	Provision of receptacles Power to take enforcement action against those that litter	Litter Act 1983, ss.5,6 Cleaner Neighbourhoods and Environment Act 2005
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198
Open spaces	Power to acquire land and maintain	Public Health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Telecommunications facilities	Power to pay public telecommunications operators any loss sustained providing telecommunication facilities	Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public conveniences	Power to provide	Public Health Act 1936, s.87
Sustainable communities	Able to be represented on a panel of representatives to be consulted on proposals that would contribute to sustainable communities	Sustainable Communities Act 2007
Town and country planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para. 8
Tourism	Power to encourage visitors and provide conference and other facilities	Local Government Act 1972, s.144
Traffic calming	Powers to contribute financially to traffic calming schemes	Highways Act 1980, s.274A
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport Powers to make grants for bus services	Local Government and Rating Act 1997, s.26, 28 and 29 Transport Act 1985, s.106A
War memorials	Power to maintain, repair, protect and alter war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water supply	Power to utilise well, spring or stream and to provide facilities for obtaining water from them	Public Health Act 1936, s.125

Well-Being	Power to well-being of the area (for eligible councils)	s2 and 4 of the Local Government Act 2000

APPENDIX 2

COMMITTEE STRUCTURE AND SCHEME OF COMMITTEE DELEGATION

1. **All Committees have the power to act immediately on all delegated decisions reached without waiting for endorsement by the full Council**. However, this is subject to the proviso that the Chairman or Vice-Chairman of any Standing Committee responsible for a particular item under consideration may request immediately following the decision that action should be delayed until clearance has been given by the full Council. A Chairman or Vice-Chairman making such a request shall be required to prepare, submit and present a related written report to full Council.

Communications and Events Committee:

2. CEC1 – Communications and Events Committee (a Standing Committee) shall comprise up to a maximum of ten Members and, in addition, include the Chair and Vice-Chair of the Council.

   CEC2 – The Committee shall meet monthly, or as otherwise determined by the Committee at the beginning of the civic year, and as and when required at the discretion of the Chair of the Committee to consider any urgent items.

   CEC3 - The quorum shall be three Members.

   CEC4 - The Committee is delegated with authority to pursue the following role and functions:

   a) To review and make recommendations on all aspects of communication involving the Council, with the aim of ensuring that the community is aware of the aims, policies and activities of the Council;
   b) To review and make recommendations on how information is to be circulated to all interested groups regarding the Council's activities;
   c) To review and make recommendations on how the Council may encourage feedback from the community to inform it on the need for policy changes and development;
   d) To review and develop initiatives to improve communications within the Council;
   e) To develop a policy for dealing with the media;
   f) To monitor and review the policy for the use of social media as a means of communicating with the community;
   g) To oversee the effectiveness of the Council's websites;

h) To consider the options for delivering and/or supporting events in the communities of Stanley which may further the overall objectives of the Council;
i) To oversee the operation, development and promotion of the Civic Hall;
j) To submit to the Finance and General Purposes Committee bids for funds as part of the annual budget process;
k) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.

Crime and Community Safety Committee

3. CCS1 – Crime and Community Safety Committee (a Standing Committee) shall comprise up to a maximum of ten Members and, in addition, to include the Chair and Vice-Chair of the Council.

CCS2 – The Committee shall meet monthly, or as otherwise determined by the Committee at the beginning of the civic year, and as and when required at the discretion of the Chair of the Committee to consider any urgent items.

CCS3 - The quorum shall be three Members.

CCS4 - The Committee is delegated with authority to pursue the following role and functions:

a) To keep under review the safety of the community within the Town Council area, and make recommendations to the Council on any matters involving community safety;
b) To consider and develop initiatives involving the Council's partners aimed at reducing crime and helping make the community feel more secure;
c) To review the issue of anti-social behaviour, particularly among the youth of the community, and consider how this may be addressed;
d) To monitor and review arrangements relating to environmental issues, such as dog fouling, litter etc., with a view to developing initiatives to address the situation;
e) To receive regular updates from DCC and Groundwork, or any other appropriate organisation, on the performance of any contracts in place for the delivery of services;
f) To consider how systems may be introduced to measure the effectiveness of the enhanced services;
g) To consider and make recommendations on how the community may be educated and informed on issues concerning the environment, crime and community safety;
h) To create an effective partnership with other agencies involved in matters relating to the remit of the Committee;
i) To submit to the Finance and General Purposes Committee bids for funds as part of the annual budget process;

j) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.

Planning Committee

4. PC1 - The Planning Committee (a Standing Committee) shall comprise up to a maximum of ten Members and, in addition, to include the Chair and Vice-Chair of the Council. An open invitation extends to all Members to attend the Committee to consider matters of interest relating to their Ward.

   PLC2 – The Committee shall meet monthly, or as otherwise determined by the Committee at the beginning of the civic year, and as and when required at the discretion of the Chair of the Committee to consider any urgent items.

   PLC3 - The quorum shall be three Members.

   PLC4 - The Committee is delegated with authority to pursue the following role and functions:

   a) To formulate the Council's policies and case specific position relating to land use;
   b) To exercise the Council's legal right to act as a statutory consultee in the planning process;
   c) To make representations to the Local Planning Authority on any application referred to the Council and on any other planning matter that affects the Parish;
   d) To consider and respond to any strategic planning proposals by the principal authority;
   e) To comment on highways/footways issues that affect the Parish;
   f) To submit to the Finance and General Purposes Committee bids for funds as part of the annual budget process;
   k) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.

Finance and General Purposes Committee:

5. FGP1 - The Finance and General Purposes Committee (a Standing Committee) shall comprise up to a maximum of ten Members and, in addition, to include the Chair and Vice-Chair of the Council.

   FGP2 – The Committee shall meet monthly or as otherwise determined by the Committee at the beginning of the civic year.

   FGP3 - The quorum shall be three Members.

   FGP4 - The Committee is delegated with authority to pursue the following role and functions:

a) To make recommendations to the Council on the annual budget and precept regarding how these should be determined consistently with the Council's general priorities and policies;
b) To receive from other Committees, and to collate prior to the submission to the Council, all bids for financial provision to be included in the annual revenue and capital budget relating to the work of the Committee;
c) To formulate and present to the Council recommendations for annual expenditure and income;
d) To supervise the Council's financial performance through the review of monthly budget monitoring reports;
e) To supervise the Council's Accounts;
f) To supervise and control borrowing by the Council and the investment of funds within the Council's control;
g) To make recommendations to the Council on the capital programme, its content, phasing and monitoring;
h) To execute and carry out, in the name and on behalf of the Council, all resolutions and instructions from time to time given with reference to finances and accounts;
i) To have the direction and control of insurance in respect of the Council's property, members, and employees;
j) To provide efficient financial services and advice for the benefit of the Council;
k) To monitor the process for applying for grant funding to support the Council's activities;
l) To determine the making of grants, allowances and loans to individuals and organisations;
m) To regularly review the Council's treasury management activities;
n) To review proposed amendments to Financial Regulations before submission to the Council for approval;
o) To periodically review risk;
p) To monitor and approve payments;
q) To receive and respond to internal and external audit reports;
r) To administer an agreed, delegated budget for the pursuit of the above activities, subject to compliance with Financial Regulations and Standing Orders.

Personnel Committee:

6. PEC1 - The Personnel Committee (a Standing Committee) shall comprise up to a maximum of ten Members and, in addition, to include the Chair and Vice-Chair of the Council.

   PEC2 – The Committee shall meet as and when required or as otherwise determined by the Committee at the beginning of the civic year.

   PEC3 - The quorum shall be three Members.

PEC4 - The Committee is delegated with authority to pursue the following role and functions

a) To consider issues concerning the employment and salaries, terms and conditions of all staff and make recommendations to the full Council;.
b) To consider issues concerning Council personnel policy and make recommendations to the full Council;
c) To review the staffing structure and levels, and make recommendations to the full Council;
d) To review health and safety at work for all Council employees.
e) To ensure the Council complies with all legislative requirements relating to the employment of staff;
f) To interview staff for appointments, other than temporary staff, apprentices or other short term placements, and make recommendations to full Council;
g) To introduce and keep under review a system for regular staff appraisals;
h) To have responsibility for the line management of the Town Clerk.

Grievance Panel

7. The Grievance Panel is set up as part of the Council's Grievance Process. It will meet as and when required to hear grievances from officers of the Council. The Panel shall comprise three members who have undergone the necessary training in handling grievance matters. Members selected for the Panel will have had no direct involvement in any issue to be heard by the Panel. The Panel will make recommendations on how the grievance may be resolved.

Disciplinary Panel

8. The Disciplinary Panel is set up as part of the Council's Disciplinary Procedure. It will meet as and when required to hear reports prepared by an appropriate officer or other approved person following a disciplinary investigation, together with the response from the Council officer concerned. The Panel shall comprise three members who have undergone the necessary training in handling disciplinary matters. Members selected for the Panel will have had no direct involvement in any issue to be heard by the Panel. The Panel will be required to make a decision as to what disciplinary action, if any, should be taken as a result of the hearing.

Appeals Panel

9. The Appeals Panel is set up as part of the Council's Disciplinary Procedure. It will meet as and when required to hear appeals by Council officers against any decision made by the Disciplinary Panel. The Panel shall comprise three members who have undergone the necessary training in handling disciplinary matters. Members selected for the Panel will have had no direct involvement in

any issue to be heard by the Panel, or in the process prior to the hearing of the appeal. The decision of the Appeals Panel is final.

Civic Hall Management Board

10. CHMB1 - The Civic Hall Management Board shall comprise five Members and, in addition, to include the Chair and Vice-Chair of the Council. Membership shall include one Member from each of the Council's five Standing Committees. It shall also include two public representatives and two user group representatives.

    CHMB2 - The Board shall meet monthly, or as and when required.

    CHMB3 – The quorum shall be three Members of the Council.

    CHMB4 – The Board, or any Member of the Board, can not commit the Council to any expenditure directly, or approve a course of action which results in the Council incurring expenditure, without Council approval.

    CHMB5 – Non Council members of the Board are not permitted to vote on any financial issue.

    CHMB6 – The Board is delegated with authority to pursue the following role and functions, by working with the Civic Hall Manager:

    a) To consider ideas for the development and promotion of the Civic Hall;

    b) To submit to the Communication and Events Committee ideas for the use of the Civic Hall which may enhance the promotion of the Council in terms of delivering its plans and services;

    c) To consider how the views of the public and user representatives might be obtained to help ensure the Civic Hall succeeds as a community venue.

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APPENDIX 3

THE ROLE OF THE CHAIR

The main rules of law governing the role of the Chair of a parish council are set out in the Local Government Act 1972, principally within Schedule 12, which sets out, for example:

- that the Chair must preside at a meeting of the parish council if he or she is present and;
- that it is the person who presided at the meeting who has the responsibility to sign the minutes as a true record.

It is the duty of the Chair

> "to preserve order, and to take care that the proceedings are conducted in a proper manner, and that the sense of the meeting is properly ascertained with regard to any question which is properly before the meeting"
>
> *National Dwellings Society v Sykes (1894)*

It is the Chair's responsibility:

(a) To determine that the meeting is properly constituted and that a quorum is present;

(b) To inform himself as to the business and objects of the meeting;

(c) To preserve order in the conduct of those present;

(d) To confine discussion within the scope of the meeting and reasonable limits to time;

(e) To decide whether proposed motions and amendments are in order;

(f) To formulate for discussion and decision questions which have been moved for the consideration of the meeting;

(g) To decide points of order and other incidental questions which require decision at the time;

(h) To ascertain the sense of the meeting by:

  (i) Putting relevant questions to the meeting and taking the vote thereon (and if so minded giving a casting vote);

  (ii) Declaring the result; and

  (iii) Causing a ballot to be taken if duly demanded;

(i) To approve the draft of the minutes or other record of proceedings (with the consent of the meeting);

(j) To adjourn the meeting when circumstances justify or require that course; and

(k) To declare the meeting closed when its business has been completed

"Knowles on Local Authority Meetings" (ICSA Publishing)

Voting

During the meeting, if a vote on a matter is tied, the Chair, or other person presiding, has a second or casting vote.

The Chair's term of office continues until the appointment of a successor, other than where the Chair resigns or is disqualified. This continuity also applies when the Chair has not been re-elected following local elections. In this case, the Chair does not have a vote on the appointment of a successor but does have a casting vote in the event of equal votes.

Outside of the Meeting

The Chair:

- is the person to whom notice of resignation is given by other Councillors or the Town Clerk;
- may convene meetings of the Council (on proper notice to the Town Clerk);
- when attending ceremonial events, is the proper person to represent the parish;
- may receive an allowance to meet the expenses of his or her office.

Beyond that, the workings and decisions not taken by the Council or through the delegation scheme, by one of its Committees or Sub-committees are to be taken by the Town Clerk.

The Chair may have an enhanced role, as functions may be delegated to the Town Clerk in consultation with the Chair (or the Chair of a Committee). This means that the decision and the responsibility for it, remains with the Town Clerk (not the Chair) but that he or she must first bring the matter to the attention of the Chair and take into account the views of the Chair in coming to his or her decision.

It is also likely to be the case that the Chair will be the person whom the Town Clerk will approach;

- for information about the Council and the parish;
- to seek to informally discuss matters with and;
- to informally consult on decisions that are in the Town Clerk’s remit to make or pass back to a formal meeting.

Correspondence to and from the Council will normally be dealt with by the Clerk, not by the Chair.

APPENDIX 4

SCHEME OF OFFICER DELEGATION
TOWN CLERK

1. The Town Clerk shall be the Proper Officer in accordance with Section 112 of the Local Government Act 1972.
2. The Town Clerk shall be the Responsible Financial Officer in accordance with Section 151 of the Local Government Act 1972.
3. The Town Clerk is the Proper Officer for any purpose in respect of which a Proper Officer is mentioned in any statute.
4. As Proper Officer, the Town Clerk is specifically authorised to:
   - 4.1 Receive declarations of acceptance of office;
   - 4.2 Receive and record notices disclosing pecuniary interests;
   - 4.3 Receive and retain plans and documents;
   - 4.4 Sign notices or other documents on behalf of the Council and arrange for legal deeds to be sealed and witnessed reference Standing Order 14(a) and (b).
   - 4.5 Receive copies of bye-laws made by a Primary Local Authority;
   - 4.6 Certify copies of bye-laws made by the Council;
   - 4.7 Sign summonses to attend meetings of the Council.

5. In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council:
   - 5.1 The day to day administration of services, facilities and assets together with routine inspection and control;
   - 5.2 Day to day supervision and control of all staff employed by the Council in accordance with the Council's policies, procedures and budget;
   - 5.3 Authorisation of routine expenditure within the agreed budgets;
   - 5.4 Emergency expenditure because of an unforeseeable emergency involving immediate risk to persons, property or other assets or serious disruption to Council Services;
   - 5.5 To institute, defend and appear in any legal proceedings authorised by the Council;
   - 5.6 To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Stanley);
   - 5.7 To agree the terms of any lease, licence, conveyance or transfer;
   - 5.8 Variations of restrictive covenants of a routine nature;
   - 5.9 The granting of easements, wayleaves and licenses over Council land;
   - 5.10 To respond to planning applications on behalf of the Council, where, due to timescales the Planning Committee is unable to comment, provided that the Town Clerk has consulted with the Chair and Vice-Chair of the Committee.

All members will receive details of planning applications which are dealt with under this delegation and may make comments;

5.11 To act as the Council's designated officer for the purpose of the Freedom of Information Act 2000;

5.12 Appoint temporary staff in liaison with the Chair and Vice Chair of the Personnel Committee;

5.13 Delegated actions of the Town Clerk shall be in accordance with Standing Orders, Financial Regulations, Contracts and Procurement and this Scheme of Delegation and with directions given by the Council from time to time.

6. The Town Clerk shall also be the Responsible Financial Officer (RFO) to the Council under Section 151 of the Local Government Act 1972. The Town Clerk shall be the RFO for any purpose in which a Responsible Financial Officer is mentioned in any statute. The Town Clerk, as RFO, is specifically authorised:

6.1 To determine the Council's accounting system and the form of the accounts and supporting accounting records;

6.2 To be responsible for the proper administration of the Council's financial affairs which includes reviewing the Council's Financial Regulations and submitting revisions to the Council for approval.

ITEM 7.1.a

STANLEY TOWN COUNCIL

STANDING ORDERS

Submitted to the AGM 26 May 2015

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1. Rules of Debate at Meetings

1.1 Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.

1.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

1.3 A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.

1.4 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

1.5 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

1.6 If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.

1.7 An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.

1.8 A councillor may move an amendment to his/her own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

1.9 If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair.

1.10 Subject to standing order 1.11 below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.

1.11 One or more amendments may be discussed together if the chair of the meeting considers this expedient, but each amendment shall be voted on separately.

1.12 A councillor may not move more than one amendment to an original or substantive motion.

1.13 The mover of an amendment has no right of reply at the end of the debate on it.

1.14 Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of the

debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to a vote.

1.15 Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:
a) to move or speak on another amendment if the motion has been amended since he/she last spoke;
b) to make a point of order;
c) to give a personal explanation; or
d) in exercise of a right of reply.

1.16 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/she considers has been breached or specify the other irregularity in the proceeding of the meeting he/she is concerned by.

1.17 A point of order shall be decided by the chair of the meeting and his/her decision shall be final.

1.18 When a motion is under debate, no other motion shall be moved except:
a) to amend the motion;
b) to proceed to the next business;
c) to adjourn the debate;
d) to put the motion to a vote;
e) to ask a person to be no longer heard or to leave the meeting;
f) to refer a motion to a committee or sub-committee for consideration;
g) to exclude the public and press;
h) to adjourn the meeting; or
i) to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

1.19 Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.

1.20 Excluding motions moved under standing order 1.18 above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the chair of the meeting.

2. Disorderly Conduct at Meetings

2.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

2.2 If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move

that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

2.3 If a resolution made under standing order 2.2 above is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings Generally

The following standing orders apply to the meetings abbreviated as follows:
FC = Full Council meetings
C = Committee meetings
SC = Sub-Committee meetings

3.1 **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.** (FC)

3.2 **The minimum three clear days for notice of a meeting does not include the day on which 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.** (FC)

3.3 **The minimum three clear days' public notice for a meeting does not include the day on which notice was issued or the day of the meeting unless the meeting is convened at shorter notice.** (C)

3.4 **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.** (FC; C)

3.5 Members of the public may make representations, answer questions and give evidence at a meeting at which they are entitled to attend in respect of the business on the agenda.

3.6 The period of time designated for public participation at a meeting in accordance with standing order 3.5 above shall not exceed fifteen minutes unless directed by the chair of the meeting.

3.7 Subject to standing order 3.6 above, a member of the public shall not speak for more than three minutes.

3.8 In accordance with standing order 3.5 above, a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.

3.9 A person shall raise his/her hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer

discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.

3.10 A person who speaks at a meeting shall direct his comments to the chair of the meeting.

3.11 Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.

~~3.12 **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's** prior written **consent.** (FC; C)~~

3.12 *Persons present at a meeting of the Council or its Committees **may not orally report or comment** on the meeting as it takes place, but otherwise may, subject to the Council's "Policy on Recording and Reporting Proceedings at Meetings of the Council and Its Committees":*

a) Film, photograph or make an audio recording of the meeting;

b) Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place, or later;

c) Report or comment on the proceedings in writing during or after the meeting or orally report or comment after the meeting.

3.13 **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present**. (FC; C)

3.14 **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her absence be done by, to or before the Vice-Chair of the Council (if any).** (FC)

3.15 **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.** (FC)

3.16 **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.** (FC; C; SC)

3.17 **The chair of a meeting 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.** (FC; C; SC)
See standing orders 5.8 and 5.9 below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the council.

3.18 **Unless standing orders provide otherwise, voting on a 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.

3.19 The minutes of a meeting shall include an accurate record of the following:

a) the time and place of the meeting;
b) the names of councillors present and absent;
c) interests that have been declared by councillors and non-councillors with voting rights;
d) whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
e) if there was a public participation session; and
f) the resolutions made.

3.20 **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.** (FC; C; SC)

3.21 **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 three.** (F)
See standing order 4.4 (h) below for the quorum of a committee or sub-committee meeting.

3.22 **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting. (FC; C; SC)

3.23 A meeting shall not exceed a period of two and a half hours

4. Committee and Sub-Committees

4.1 **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

4.2 **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**

4.3 **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

4.4 The council may appoint standing committees or other committees as may be necessary, and:

a) shall determine their terms of reference;
b) shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
c) shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
d) shall, subject to standing orders 4.2 and 4.3 above, appoint and determine the terms of office of members of such a committee;
e) may, subject to standing orders 4.2 and 4.3 above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer two days before the meeting that they are unable to attend;
f) shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;
g) shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
h) shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
i) shall determine if the public may participate at a meeting of a committee;
j) shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
k) shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
l) may dissolve a committee.

5. Ordinary Council Meetings

5.1 **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.**

5.2 **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.**

5.3 **If no other time is fixed, the annual meeting of the council shall take place at 6pm.**

5.4 **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.**

5.5 **The first business conducted at the annual meeting of the council shall be the election of the Chair and Vice-Chair (if any) of the Council.**

5.6 **The Chair of the Council, unless he/she 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.**

5.7 **The Vice-Chair of the Council, if any, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the council.**

5.8 **In an election year, if the current Chair of the Council has not been re-elected as a member of the council, he/she shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.**

5.9 **In an election year, if the current Chair of the Council has been re-elected as a member of the council, he/she shall preside at the meeting until a new Chair of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**

5.10 Following the election of the Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:

a) In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;

b) Confirmation of the accuracy of the minutes of the last meeting of the council;

c) Receipt of the minutes of the last meeting of a committee;

d) Consideration of the recommendations made by a committee;

e) Review of delegation arrangements to committees, sub-committees, staff and other local authorities;

f) Review of the terms of reference for committees;

g) Appointment of members to existing committees;

h) Appointment of any new committees in accordance with standing order 4 above;

i) Review and adoption of appropriate standing orders and financial regulations;

j) Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;

k) Review of representation on or work with external bodies and arrangements for reporting back;

l) In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the

future;

m) Review of inventory of land and assets including buildings and office equipment;
n) Confirmation of arrangements for insurance cover in respect of all insured risks;
o) Review of the council's and/or staff subscriptions to other bodies;
p) Review of the council's complaints procedure;
q) Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
r) Review of the council's policy for dealing with the press/media; and
s) Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

6. Extra-Ordinary Meetings of the Council and Committees and Sub-Committees

6.1 **The Chair of the Council may convene an extraordinary meeting of the council at any time.**

6.2 **If the Chair of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors**.

6.3 The chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee (or the sub-committee) at any time.

6.4 If the chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within seven days of having been requested to do so by two members of the committee (or the sub-committee), any two members of the committee (or the sub-committee]) may convene an extraordinary meeting of a committee (or a sub-committee).

7. Previous Resolutions

7.1 A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least eleven councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

7.2 When a motion moved pursuant to standing order 7.1 above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on Appointments

8.1 Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting

9. Motions For a Meeting that Require Written Notice to be Given to the Proper Officer

9.1 A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.

9.2 No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

9.3 The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9.2 above, correct obvious grammatical or typographical errors in the wording of the motion.

9.4 If the Proper Officer considers the wording of a motion received in accordance with standing order 9.2 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 so that it can be understood at least five clear days before the meeting.

9.5 If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

9.6 Subject to standing order 9.5 above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

9.7 Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.

9.8 Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

10. Motions at a Meeting that Do Not Require Written Notice

10.1 The following motions may be moved at a meeting without written notice to the Proper Officer:

a) to correct an inaccuracy in the draft minutes of a meeting;
b) to move to a vote;
c) to defer consideration of a motion;
d) to refer a motion to a particular committee or sub-committee;
e) to appoint a person to preside at a meeting;
f) to change the order of business on the agenda;
g) to proceed to the next business on the agenda;
h) to require a written report;
i) to appoint a committee or sub-committee and their members;
j) to extend the time limits for speaking;
k) to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
l) to not hear further from a councillor or a member of the public;
m) to exclude a councillor or member of the public for disorderly conduct;
n) to temporarily suspend the meeting;
o) to suspend a particular standing order (unless it reflects mandatory statutory requirements);
p) to adjourn the meeting; or
q) to close a meeting.

11. Handling Confidential or Sensitive Information

11.1 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.

11.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

12. Draft Minutes

12.1 If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

12.2 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10.1 (a) above.

12.3 The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

12.4 If the chair 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 chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."*

12.5 Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of Conduct and Dispensations

See also standing order 3.20 above.

13.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

13.2 Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.

13.3 Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has another interest if so required by the council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.

13.4 **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

13.5 A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.

13.6 A dispensation request shall confirm:

a) the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
b) whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
c) the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
d) an explanation as to why the dispensation is sought.

13.7 Subject to standing orders 13.4 and 13.6 above, dispensations requests shall be considered at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required.

13.8 **A dispensation may be granted in accordance with standing order 13.5 above if having regard to all relevant circumstances the following applies:**

a) without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or

b) granting the dispensation is in the interests of persons living in the council's area or

c) it is otherwise appropriate to grant a dispensation.

14. Code of Conduct Complaints

14.1 Upon notification by the County Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the council.

14.2 Where the notification in standing order 14.1 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 14.4 below.

14.3 The council may:

a) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;

b) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.

14.4 **Upon notification by the County Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. Proper Officer

15.1 The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.

15.2 The Proper Officer shall:

a) at least three clear days before a meeting of the council, a committee

and a sub-committee serve on councillors, by delivery or post at their residences, or by email where appropriate, provided any such email contains the electronic signature and title of the Proper Officer, **a signed summons confirming the time, place and the agenda.**
See standing order 3.2 above for the meaning of clear days for a meeting of a full council and standing order 3.3 above for a meeting of a committee.

b) give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);
See standing order 3.2 above for the meaning of clear days for a meeting of a full council and standing order 3.3 above for a meeting of a committee.

c) subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least five days before the meeting confirming his withdrawal of it;

d) **convene a meeting of full council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office**;

e) facilitate inspection of the minute book by local government electors;

f) **receive and retain copies of byelaws made by other local authorities**;

g) retain acceptance of office forms from councillors;

h) retain a copy of every councillor's register of interests;

i) assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;

j) receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;

k) manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;

l) arrange for legal deeds to be executed;
See also standing order 22 below.

m) arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;

n) record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;

o) refer a planning application received by the council to the Chair or, in his/her absence, Vice-Chair (if any) of the Planning Committee within two 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 Planning Committee;

p) manage access to information about the council via the publication scheme; and

q) retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
See also standing order 22 below.

16. Responsible Financial Officer

16.1 The council shall appoint appropriate staff member(s) to undertake the

work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. Accounts and Accounting Statements

17.1 "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).

17.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

17.3 The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year, or by such other dates as may be required, a statement to summarise
a) the council's receipts and payments for each period;
b) the council's aggregate receipts and payments for the year to date;
c) the balances held at the end of the quarter being reported
and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

17.4 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
a) each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
b) to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.

17.5 The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June

18. Financial Controls and Procurement

18.1 The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
a) the keeping of accounting records and systems of internal controls;
b) the assessment and management of financial risks faced by the council;
c) the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;

d) the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
e) procurement policies (subject to standing order 18.3 below) including the setting of values for different procedures where a contract has an estimated value of less than £60,000.

18.2 Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

18.3 **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of** £60,000 **shall be procured on the basis of a formal tender as summarised in standing order 18.4 below.**

18.4 Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
a) a specification for the goods, materials, services or the execution of works shall be drawn up;
b) an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
c) the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
d) tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
e) tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
f) tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

18.5 Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

18.6 **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.**

19. Handling Staff Matters

19.1 A matter personal to a member of staff that is being considered by a meeting of council or the HR Committee (or if no separate HR Committee

then the chair of the Finance, HR and General Purposes Committee) is subject to standing order 11 above.

19.2 Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee) or, if he/she is not available, the vice-chair of absence occasioned by illness or other reason and that person shall report such absence to the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee) at its next meeting.

19.3 The chair of the Finance, HR and General Purposes Committee or in his/her absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Finance, HR and General Purposes Committee.

19.4 Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee) or in his/her absence, the vice-chair in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee)

19.5 Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk, or other employee, relates to the chair or vice-chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee), this shall be communicated to another member of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee), which shall be reported back and progressed by resolution of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee).

19.6 Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

19.7 The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.

19.8 Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19.6 and 19.7 above if so justified.

19.9 Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19.6 and 19.7 above shall be provided only to the Town Clerk, or such other officer determined by him/her, and/or the Chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee).

20. Requests for Information

20.1 Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

20.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chair of the HR Committee (or if no separate HR Committee then the chair of the Finance, HR and General Purposes Committee). The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

21. Relations With the Press and Media

21.1 Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media

22. Execution and Sealing of Legal Deeds

See also standing orders 15.2 l) and q) above.

22.1 A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

22.2 **Subject to standing order 22.1 above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

NB The above is applicable to a council without a common seal

23 Communication With County Councillors

23.1 An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the County Council representing the area of the council.

23.2 Unless the council determines otherwise, a copy of each letter sent to the County Council shall be sent to the ward councillor(s) representing the area of the council.

24. Restrictions on Councillor Activities

24.1 Unless authorised by a resolution, no councillor shall;

a) inspect any land and/or premises which the council has a right or duty to inspect; or
b) issue orders, instructions or directions.

25. Standing Orders Generally

25.1 All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

25.2 A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least eleven councillors to be given to the proper officer in accordance with standing order 9 above.

25.3 The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.

25.4 The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

ITEM 7.1.c

STANLEY TOWN COUNCIL

FINANCIAL REGULATIONS

Approved at AGM 26 May 2015

FINANCIAL REGULATIONS

The purpose of Financial Regulations is to formalise the process used by Stanley Town Council to govern the conduct of the financial transactions of the Council.

1.0 GENERAL

1.1 These Financial Regulations may only be amended or varied by recommendation of the Finance and General Purposes Committee followed by resolution of the Full Council.

1.2 The Responsible Financial Officer (RFO), under the policy direction of the Full 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.

2.0 ANNUAL ESTIMATES

2.1 Each Committee 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 (estimated) receipts and payments for the full financial year, shall also be prepared at this time each year by the RFO. These shall be used as the basis for the budget for the ensuing financial year.

2.3 The Full Council shall review the estimates and proposed budget not later than the beginning of January following the preceding November (see 2.1), and use these to fix the precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates and budget.

2.4 The annual budget 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 (Medium Term Financial Plan) which shall be prepared at the same time as the annual Budget.

3.0 BUDGETARY CONTROL

3.1 Expenditure on revenue items may be incurred up to the amounts included in the approved budget.

3.2 Any expenditure which would exceed the amount provided in the revenue budget. may be incurred only by resolution of the Full Council.

3.3 The RFO shall regularly (on a ~~quarterly~~ *monthly* basis) provide the ~~Council~~ *Finance and General Purposes Committee* with a statement of receipts and payments to date under each head of the budget, comparing actual expenditure against that planned, *and including a projection of the likely outcome for the full year.*

3.4 The RFO and Chair *of the Council* 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 £7,500. *Such expenditure shall* be reported to Full Council by email immediately confirming the value and reason, and then to be retrospectively reviewed and approved at the next Full Council meeting.

3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless approved by the Full Council, *on the recommendation of the Finance and General Purposes Committee*.

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3.6 No expenditure shall be incurred in relation to any capital project or service, 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 these 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 Accounts and Audit Regulations *in effect at the time* ~~2011 as amended.~~

4.2 The RFO shall be responsible for completing the annual financial statements of the Council as soon as practicable after the year-end of the financial year and shall submit them and report thereon to the Full Council.

4.3 The RFO shall be responsible for completing the accounts of the Council contained in the Annual Return (as supplied by the *External* Auditor appointed from time to time by the Audit Commission), and for submitting the Annual Return for approval and authorisation by the Full Council, within the timescale set by the Accounts and Audit Regulations *in effect at the time* ~~2011 as amended,~~ or set by the Auditor.

4.4 The RFO shall be responsible for ensuring that there is an adequate and effective system of internal control of the Council's accounting, financial and other operations, in accordance with *the appropriate* Regulation ~~5~~ of the Accounts and Audit Regulations *in effect at the time* ~~2011 as amended~~. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents 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 Internal Auditor shall carry out the work required *in accordance with a risk based audit plan to be determined by the Auditor and approved by the Finance and General Purposes Committee. Additional work may, from time to time, be requested* by the RFO, or by the Council. ~~, with a view to satisfactory completion of the Auditor's Report section of the Annual Return, as compiled annually by the Audit Commission~~. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to the *Finance and General Purposes Committee* ~~Council~~ in writing on a regular basis with a minimum of one annual report in respect of each financial year.

4.6 The RFO shall make arrangements for *the exercise of electors' rights* to *inspect* ~~the opportunity for inspection of~~ the accounts, books and vouchers required by Section 15 of the Audit Commission Act 1998 and the Accounts and Audit Regulations *in effect at the time* ~~2011 as amended.~~

4.7 The RFO shall, as soon as practicable, bring to the attention of all Councillors, any relevant 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 Full Council. They shall be regularly reviewed for efficiency.

5.2 Cheques drawn on the Council's bank account ~~in accordance with the schedule referred to in paragraph 5.2, or in accordance with paragraph 6.4~~, shall be signed by one Officer and one Member of Council.

5.3 Payments drawn on the Council's bank account by BACS or other electronic means shall be authorised by two Members and countersigned by the Town Clerk.

6.0 PAYMENT OF ACCOUNTS

6.1 The Council shall *ensure that* ~~make~~ safe and efficient arrangements *are in place* for the making of any payments.

6.2 All payments (other than petty cash [6.5]) shall be effected by cheque, Debit Card, direct debit, or other order drawn on the Council's bankers, including BACS payments. With regard to payments by any means other than cheque, approval will be renewed by resolution of the full Council every two years.

6.3 ~~All invoices shall be checked by the Chair of Finance, HR and General Purposes Committee or Councillor David Walker in his/her absence, and then passed to the~~

~~Finance Officer (FO) for processing. All invoices for payment shall be examined, verified and certified by the Finance Manager.~~ The ~~FO~~ *appropriate Manager* shall satisfy him/herself that the work, goods or services to which the invoice relates, have been received or carried out~~, examined and approved~~. *in accordance with the relevant order. He/she shall insert the appropriate budget code to which the cost is to be charged.*

6.4 The ~~RFO~~ *Finance Manager* shall examine invoices in relation to arithmetic accuracy, *correct application of VAT and correct coding* ~~and shall analyse them to the appropriate expenditure heading~~, *and shall* take all steps to settle invoices submitted, and which are in order, at the earliest possible opportunity.

6.5 The RFO shall countersign all invoices prior to payment.

6.6 If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and where the RFO and Finance Manager certify that there is no dispute or other reason to delay payment, the RFO may (not withstanding paragraph 6.3), take all steps necessary to settle such invoices, provided that such payments shall subsequently be scrutinised by the Chair of the Finance and General Purposes Committee.

6.7 The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the Finance Manager with a claim for reimbursement:

a) The RFO shall maintain a petty cash float of £100 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
b) Income received must not be paid into the petty cash float, but must be separately banked on the next available working day, as provided elsewhere in these regulations.
c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to the Council.

6.8 Subject to 6.2, wherever possible payments to staff and service providers will be made by the Banking Automated Credit System (BACS). This is subject to strict compliance with the agreed procedure for the operation of an electronic payments system.

7 PAYMENT OF SALARIES

7.1 The payment of all salaries shall be made by Durham County Council (the Principal Authority) in accordance with payroll records and the rules of PAYE and National Insurance currently operating. Salaries shall be according to employees' contractual agreements, which have been previously agreed by the Council.

7.2 Payment of salaries, and deductions from salary for tax, national insurance and pension contributions, will be made in accordance with the payroll records and on the appropriate dates.

7.3 Payment of excess additional hours worked (in accordance with contractual agreements), will be made in accordance with the payroll records and on the appropriate dates provided that each payment is reported to, and resolved by, the next available Full Council Meeting.

8 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 Investments Act 2000, and shall be reviewed on a regular basis (at least annually).

8.3 All investments of money under the control of the Town 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 the Full Council as to its terms and purpose.

8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9 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.

~~9.3 The RFO shall be responsible for the collection of all accounts due to the Council.~~

9.4 The Council shall review all fees and charges annually (where relevant), following a report of the RFO. Any sums found to be irrecoverable and any associated bad debts shall be reported to the Full Council, and shall be written off in the relevant financial 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 and recorded in the accounts.

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 on a quarterly basis in accordance with HMRC procedures.

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.

9.10 Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere within these regulations.

10 ORDERS

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 All Purchase Orders 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 quality, value and service for each transaction

11 PROCUREMENT

11.1 Contracts are subject to any de minima provisions current at the time they are agreed:

- These provisions are commonly referred to as the 'De Minimis' rules/exceptions, under which local authorities are in some cases excepted from the requirement to let contracts through competitive tender.
- There is no obligation on authorities to make use of the de minimis provisions; the limits set are not to be exceeded but it is a matter for individual authorities to decide to what extent they are used, or even if they are used at all.
- At the time of adopting this policy it is now possible to let any number of individual de minimis contracts up to a value of £29,999 expenditure each in any one year (the previous limit was £24,999).
- However, subject to the individual contract limit, there will no longer be any limit on the total value of de minimis contracts that may be let with an individual organisation in any year.

11.2 Procedures as to contract are laid down as follows:

General

11.2.1 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:

a) for the supply of gas, electricity, sewerage and telephone services;
b) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
c) 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;
d) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Town Council;
e) for additional audit work of the external Auditor up to an estimated value of £750 (in excess of this sum the RFO shall act after consultation with the Chair and Vice Chair of the Council);

11.2.2 Where it is intended to enter into a contract 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 11.a (above) the following shall apply:

Contracts Exceeding £60,000 in Value

11.2.3 For Contracts exceeding £60,000 in value, the RFO shall invite tenders from at least three firms to be taken from the appropriate approved list.

11.2.4 Such invitations to tender shall state the general nature of the intended Contract, and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases.

11.2.5 The invitation shall, in addition, state that a tendering firm 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.

11.2.6 All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk in the presence of at least one Member of the Council

11.2.7 If less than three tenders are received for contracts over £60,000, 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.

11.2.8 Any invitation to tender issued under this regulation, shall contain a statement to the effect that “Neither the Town Council, nor any committee, is bound to accept the lowest tender, estimate or quote, provided a justifiable reason is stated.”

Contracts Over £20,000 and up to £60,000

11.2.9 For Contracts of above £20,000 and up to £60,000 in value the RFO shall endeavour to obtain three written quotations (priced descriptions of proposed supply).

Contracts Between £5,000 and up to £20,000

11.2.10 Where the value of a Contract is between £5,000 and £20,000, the RFO shall endeavour to obtain three (3) estimates.

Contracts Below £5,000

11.2.11 Where the value of a Contract is below £5,000, the RFO shall obtain one or more estimates, as appropriate.

11.2.12 The Council shall not be obliged to accept the lowest, or any tender, quote or estimate.

11.2.13 Where applications are made to waive financial regulations relating to Contracts (of whatever value), to enable a price to be negotiated without competition, the RFO shall state the reason in a recommendation to the Full Council.

12 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 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 Full Council.

12.3 Any variations to, addition to or omission from a Contract, must be approved by the Full Council and the RFO in writing to the Contractor, the Council being informed where the final cost is likely to exceed the financial provision.

13 STORES, EQUIPMENT AND ASSETS

13.1 The relevant Manager ~~officer in charge (of each section)~~ shall be responsible for the care and custody of stores and equipment ~~in the section~~ *in their control.*

13.2 Delivery notes shall be obtained in respect of all goods received 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 RFO shall be responsible for periodic checks of stocks and stores at least annually.

13.5 Non Current Assets - all expenditure on the acquisition, creation or enhancement of non current assets below the Council de minimus of £10,000 is written off to the Council's Income and Expenditure account in the year of acquisition. Expenditure on the acquisition, creation or enhancement of non current assets above the de-minimus of £10,000 and which provide economic benefits to the council for a period over one year are capitalised ~~in the balance sheet~~*.in accordance with accounting requirements in effect at the time.*

13.6 Asset depreciation – in accordance with current ~~external audit guidance~~ *accounting requirements* asset values should not be adjusted for depreciation. The cost value will remain as the asset value in the asset register and on the Annual Return until the asset is disposed.

14 PROPERTIES

14.1 The RFO shall make appropriate arrangements for the custody of all title deeds for 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 *the appropriate* Regulation ~~5 (3) b)~~ of the Accounts and Audit Regulations *in effect at the time* ~~2011 as amended.~~

14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Full Council, together with any other consents required by law, except where the estimated value of any one item of tangible, movable property, does not exceed £50.

15 INSURANCE

15.1 Following an annual risk assessment, the Finance Manager shall effect all insurances and negotiate all claims on the Council's insurers (in consultation with the RFO).

15.2 The RFO shall give prompt notification to the Finance Manager of all new risks, properties or vehicles, which require to be insured, and of any alterations affecting existing insurances.

15.3 The 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 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 RISK MANAGEMENT

16.1 The RFO, with the Finance Manager, shall prepare and promote Risk Management policy statements in respect of all activities of the Council.

16.2 When considering any new activity, the RFO and Finance Manager 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 REVISION OF FINANCIAL REGULATIONS

17.1 It shall be the duty of the Finance and General Purposes Committee to review the Financial Regulations of the Town Council from time to time, and recommend such amendments to Full Council as are appropriate.

17.2 Irrespective of 17.1 above, the Full Town Council shall review the Financial Regulations at least annually.

ITEM 7.1.d

POLICY DOCUMENT

Name of Policy:	Complaints Procedure
Date policy created:	11/12/12
Author:	Russell Morgan
Date endorsed by Finance & General Purposes Committee:	23/10/2012
Signed: (Chair of Finance & General Purposes Committee)	
Date adopted by Full Council:	13/11/2012
Signed: (Chair of Council)	

STANLEY TOWN COUNCIL

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COMPLAINTS PROCEDURE

This Policy sets out procedures for dealing with any complaints that members of the public may have about Stanley Town Council's administration and procedures.

It includes complaints relating to the Council's employees.

The Code of Conduct adopted by the Council covers councillors.

Complaints against policy decisions made by the Council are to be referred back to Council to be considered in accordance with the Council's Standing Orders.

If a complaint about procedures or administration as practised by the Council's employees is notified orally to a Councillor or the Clerk to the Council, they are to advise the complainant to put the complaint in writing to the Clerk to the Council and be assured that it will be dealt with within fourteen days of receipt.

If the complainant prefers not to put the complaint to the Clerk to the Council he or she should be advised to put it to the Chairman. On receipt of a written complaint the Chairman or the Clerk to the Council (except where the complaint is about his or her own actions), should try to settle the complaint directly with the complainant. This must not be done without first notifying the person complained against and giving him or her an opportunity to comment.

Efforts should be made to attempt to settle the complaint at this stage.

Where the Clerk to the Council receives a written complaint about his own actions, he is to refer the complaint to the Chairman.

The Clerk to the Council is to be given an opportunity to comment. The Clerk to the Council or Chairman of Council is to report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

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The Clerk to the Council or Chairman is to bring any written complaint that has not been settled to the next meeting of the Council.

The Clerk to the Council is to notify the complainant of the date of the meeting at which the complaint will be considered, and the complainant will be offered an opportunity to explain the complaint orally.

If the complaint is likely to result in the Disciplinary or Grievance Procedures being used, or Standard Committee action being taken, then it must be deferred until such action is completed.

As soon as possible after the decision has been made, both it and the nature of any action to be taken are to be communicated in writing to the complainant.

The Council can defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint is to be dealt with at the next meeting after the advice has been received.

Complaints about elected, co-opted and independent councillors behaving inappropriately should be made to the Standards Committee of the Durham County Council (via the Monitoring Officer).

For more information on how to complain, please contact the Monitoring Officer of Durham County Council, Head of Legal & democratic Services, County Hall, Durham, DH1 5UL.

Stanley Town Council adopted this policy at its Ordinary meeting of full Council held on the 13th November 2012.

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57-61 LENIN TERRACE
SOUTH STANLEY
CO DURHAM
DH9 6LW

T: 01207 299109
E: info@stanley-tc.gov.uk
www.stanley-tc.gov.uk

Stanley Town Council is a registered Data Controller under the Data Protection Act 1998. As such, we will take great care of the information you provide. The information you provide will be used by Stanley Town Council to process your grant application. Your information will be kept confidential, unless we are required, by law, to provide this to an authorised organisation, in which case you would be consulted prior to any disclosure. Statistical information could be requested under the Freedom of Information Act 2000, but this would be anonymised data and you would not be individually identifiable. If you have any concerns or queries, please contact the Freedom of Information officer on 01207 299 109.

ITEM 7.1.f

Freedom of information

The publication scheme below is referred to in the Governance Toolkit for Parish & Town Councils (Version three April 2009) and based on the model scheme produced by the Information Commissioner in 2009 which can be downloaded from the Commissioner's website and adapted to the public authority concerned, (i.e. www.informationcommissioner.gov.uk).

The scheme which shall be reviewed at least annually, was approved by the Finance and General Purposes Committee on the 23rd October 2012 and adopted by the full Council on the 13th November 2012.

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FREEDOM OF INFORMATION ACT 2000

And

PUBLICATION SCHEME

In accordance with the provisions of the Freedom of Information Act 2000, Stanley Town Council will make available the following information in hard copy on request from the Clerk of the Council or by inspection by prior appointment.

Reasonable charges may be raised for the provision of copies of the documents / information listed in each of the classes.

1. COUNCIL INTERNAL PRACTICE AND PROCEDURE:

Minutes of Council, Committee and Sub-Committee meetings – limited to the last two years

Procedural Standing Orders

Council's Annual Report to Town Meeting

2. CODE OF CONDUCT:

Members Declaration of Acceptance of Office

Members Register of Interests

Register of Members Interest Book

3. EMPLOYMENT PRACTICE AND PROCEDURE:

Terms and conditions of employment

Job description

4. PLANNING DOCUMENTS:

Stanley Town Council's responses to planning applications – all other planning information is available from Durham County Council

5. AUDIT AND ACCOUNTS:

Annual return form – limited to the last financial year

Annual Statutory report by auditor (internal and external) – limited to the last financial year

Receipt / Payment books, Receipt books of all kinds, Bank Statements from all accounts – limited to the last financial year

Precept request – limited to the last financial year

VAT records – limited to the last financial year

Financial Standing Orders and Regulations

Assets register – including details of recreation grounds, if applicable

Risk Assessments

6. ALLOTMENTS:

Plans

Standard tenancy agreements

Excluding individual tenancy agreements and rent payment records under both privacy and data protection laws

~~**7. BURIAL GROUNDS:**~~ **(Not Applicable to Stanley Town Council).**

~~Plans~~

~~General policies~~

~~Excluding all documentation relating to individual applications and registrations under both privacy and data protection laws~~

All information is available from:

The Town Clerk
Stanley Town Council,

57-61 Lenin Terrace,
Stanley,
Co. Durham,
DH9 6LW.
Telephone: 01207 299 109
info@stanley-tc.gov.uk

Stanley Town Council adopted the following (Model) Publication Scheme at the Ordinary meeting held on the 13th November 2012

Model Publication Scheme - V1.0

Model Publication Scheme: This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.

- To specify the information which is held by the authority and falls within the classifications below.

- To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.

- To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.

- To review and update on a regular basis the information the authority makes available under this scheme.

- To produce a schedule of any fees charged for access to information which is made proactively available.

- To make this publication scheme available to the public.

Classes of Information

Who we are and what we do.

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing.

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures.

Current written protocols for delivering our functions and responsibilities.

Lists and Registers.

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The Services we Offer.

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act 2000, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where

this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under equality, disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for Information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act 2000.

ITEM 11

STANLEY TOWN COUNCIL

To: **Full Council Annual General Meeting**

Date: **26th May 2015**

From: **D Shingleton, Acting Town Clerk**

Subject: **COUNCIL AND COMMITTEE MEETINGS**

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1. At the Annual General Meeting of the Town Council held on 27 May 2014 Members agreed a schedule of meetings of the Council and its Committees up to 26 May 2015. The schedule was based on the following approach in each month:

   1st Tuesday – Planning
   1st Wednesday – Crime and Community Safety
   2nd Tuesday – Communication and Events
   2nd Wednesday – Finance and General Purposes
   4th Tuesday – Full Council.

2. In addition, agreement was reached at a later meeting to hold meetings of the Personnel Committee quarterly, rather than as and when required, although this has not yet been implemented.
   .
3. It is normal practice for Members to agree the schedule of meetings for the forthcoming municipal year at the Annual General Meeting. Using the same approach as above I have prepared a schedule to the next AGM in May 2016.

4. However before agreeing this, Members may wish to consider whether a four-weekly cycle is still required. It is undoubtedly a pressure on staff to keep on top of agendas, minutes and reports, although this is not a valid reason for changing things. In the light of my comments regarding the Constitution and the advantage of waiting until the new Town Clerk starts, I would propose that the attached four-week schedule is agreed pending further consideration of the Constitution.

RECOMMENDATIONS

5. I RECOMMEND that Members:

   a) Consider and approve the extended schedule of meetings to May 2016, pending further consideration of the Constitution..

Derek Shingleton
Acting Town Clerk

ITEM 12

STANLEY TOWN COUNCIL

To: **Full Council Annual General Meeting**

Date: **26th May 2015**

From: **D Shingleton, Acting Town Clerk**

Subject: **BANKING ARRANGEMENTS**

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1. The Council currently banks with Barclays, and I do not propose that this be changed at this stage. However, Members may wish to authorise the new Finance Manager to undertake a tendering exercise during the next few months to determine whether this arrangement is value for money.

2. In relation to authorised signatories, the AGM last year agreed that all Members be authorised to sign cheques and schedules of payments by automatic means, following the abolition of the legal requirement for payments to be made by cheque. I do not propose to change this arrangement.

RECOMMENDATIONS

3. I RECOMMEND that Members:

   a) Approve the continuation with Barclays as the Council's bankers, but authorise the Finance Manager, once in post, to consider a tendering exercise; and
   b) Authorise all Members to sign cheques and schedules of payments by automatic means.

Derek Shingleton
Acting Town Clerk

ITEM 13

STANLEY TOWN COUNCIL

To: **Full Council Annual General Meeting**

Date: **26th May 2015**

From: **D Shingleton, Acting Town Clerk**

Subject: **INSURANCE ARRANGEMENTS**

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1. The Council currently uses Zurich Municipal as its Insurers. While this has been the case since the Council was created, the annual cost of around £4,000 is not substantial, and the cost of a tendering exercise may outweigh any savings that may be achieved.

RECOMMENDATIONS

2. I RECOMMEND that Members:

   a) Approve the continued use of Zurich Municipal as the Council's Insurers for the year 2015/2016.

Derek Shingleton
Acting Town Clerk

ITEM 14

STANLEY TOWN COUNCIL

To: **Full Council Annual General Meeting**

Date: **26th May 2015**

From: **D Shingleton, Acting Town Clerk**

Subject **OUTSIDE ORGANISATIONS**

NEREO

1. The Council currently subscribes to NEREO (North East Regional Employers Association) at a cost of £327.60 per annum. This has been the fee for the past three years. NEREO provides support to local councils to build capacity by having the right people in place with the most efficient way of workings; provides help to councils to build skills through development opportunities for Officers and Members and uses the expertise of a variety of associates to advise councils on people matters, policy and employment law. Not only that but we receive regular updates on changes in the law affecting local councils.

2. I am aware that some Members have issues with NEREO following events over the past couple of years. My own view is that they are an invaluable support to, not only principal and local councils across the North East, but also to Town Clerks and Chief Officers. The cost of the service provided for one full year is less than the daily rate of a consultant.

3. It is the Council that is the Member of NEREO not the Town Clerk or individual Members. It would be unworkable for NEREO to be in a position to respond to individual Members. In addition, it would make life difficult for local councils if members were taking advice from NEREO without the knowledge of other members or the Town Clerk.

NALC AND CDALC

4. For the current year, the Council paid £2,541.00 for CDALC and £1,397.55 for NALC, a total of £3,938.55. The payments are made on the same invoice and it may be that membership of CDALC depends on Membership of NALC but I am in the process of trying to clarify this issue.

RECOMMENDATIONS

5 I RECOMMEND that Members consider whether they wish to continue subscribing to NEREO, NALC and CDALC for the year 2015/2016.

Derek Shingleton
Acting Town Clerk