

# PURLEY ON THAMES PARISH COUNCIL



## STANDING ORDERS

(Those standing orders not highlighted in bold type, do not incorporate statutory requirements. They are aimed at (i) highlighting matters that merit regulation by standing orders and (ii) encouraging use of standing orders to regulate routine administrative arrangements.)

Based on National Assoc. of Local Councils (NALC) 2018 Model

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## Contents

|    |  |    |
|----|--|----|
| 1  | Rules of Debate at Meetings .....  | 1  |
| 2  | Disorderly Conduct at Meetings.....  | 3  |
| 3  | Meetings Generally.....  | 3  |
| 4  | Committees and Sub-Committees .....  | 6  |
| 5  | Ordinary Council Meetings .....  | 7  |
| 6  | Extraordinary Meetings of The Council, Committees and Sub-Committees .....             | 9  |
| 7  | Previous Resolutions.....  | 9  |
| 8  | Voting on Appointments.....  | 9  |
| 9  | Motions for a Meeting that Require Written Notice to be Given to the Proper Officer .. | 10 |
| 10 | Motions at a Meeting that do not Require Written Notice .....                          | 10 |
| 11 | Management of Information .....  | 11 |
| 12 | Draft Minutes .....  | 12 |
| 13 | Code of Conduct and Dispensations.....   | 12 |
| 14 | Code of Conduct Complaints .....   | 13 |
| 15 | Proper Officer .....   | 14 |
| 16 | Responsible Financial Officer .....  | 16 |
| 17 | Accounts and Accounting Statements .....   | 16 |
| 18 | Financial Controls and Procurement.....  | 17 |
| 19 | Handling Staff Matters .....   | 18 |
| 20 | Responsibilities to Provide Information .....  | 19 |
| 21 | Responsibilities Under Data Protection Legislation.....                                | 19 |
| 22 | Relations with the Press/Media.....  | 20 |
| 23 | Execution and Sealing of Legal Deeds .....   | 20 |
| 24 | Communicating with District and County or Unitary Councillors.....                     | 20 |
| 25 | Restrictions on Councillor Activities .....  | 21 |
| 26 | Standing Orders Generally .....  | 21 |
| 27 | Standing Committees - Terms of Reference .....   | 21 |
| 28 | Delegated Authorities to Officers .....  | 36 |

# 1 Rules of Debate at Meetings

- (a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- (b) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- (c) A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- (d) 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.
- (e) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- (f) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- (g) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- (h) A councillor may move an amendment to their 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.
- (i) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- (j) Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- (k) One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- (l) A councillor may not move more than one amendment to an original or substantive motion.
- (m) The mover of an amendment has no right of reply at the end of debate on it except at the Chairman's discretion.
- (n) 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 debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

- (o) Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- (p) During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- (q) A point of order shall be decided by the chairman of the meeting and their decision shall be final.
- (r) When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- (s) Before an original or substantive motion is put to the vote, the chairman 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 their right of reply.
- (t) Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 4 minutes without the consent of the chairman of the meeting.

## 2 Disorderly Conduct at Meetings

- (a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- (b) If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- (c) If a resolution made under standing order 2(b) is ignored, the chairman 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

**F** Full Council meetings

**C** Committee meetings

**S** Sub-committee meetings

- F** (a) **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- F** (b) **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.**
- C** (c) **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- F**  
**C** (d) **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.**
- (e) Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- (f) The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 20 minutes unless directed by the chairman of the meeting.

- (g) Subject to standing order 3(f) a member of the public shall not speak for more than 4 minutes.
- (h) In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- (i) A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- (j) A person who speaks at a meeting shall direct their comments to the chairman of the meeting.
- (k) Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- F**  
**C** (l) **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- F**  
**C** (m) **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- F**  
**C** (n) **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.**
- F** (o) **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- F** (p) **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- F**  
**C**  
**S** (q) **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

- F** (r) **The chairman of a meeting may give an original vote on any matter put to the**  
**C** **vote, and in the case of an equality of votes may exercise their casting vote**  
**S** **whether or not he gave an original vote.**

*See standing orders 5(h) and 5(i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.*

- F** (s) **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 their vote for or against that question.** Such a request shall be made  
before moving on to the next item of business on the agenda.

- (t) The minutes of a meeting shall include an accurate record of the following:
- i the time and place of the meeting;
  - ii the names of councillors who are present and the names of councillors who are absent;
  - iii interests that have been declared by councillors and non-councillors with voting rights;
  - iv the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi if there was a public participation session; and
  - vii the resolutions made.

- F** (u) **A councillor or a non-councillor with voting rights who has a disclosable**  
**C** **pecuniary interest or another interest as set out in the Council’s code of**  
**S** **conduct in a matter being considered at a meeting is subject to statutory**  
**limitations or restrictions under the code on their right to participate and vote**  
**on that matter.**

- F** (v) **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.**

*See standing order 4(d)viii for the quorum of a committee or sub-committee meeting.*

- F** (w) **If a meeting is or becomes inquorate no business shall be transacted** and the  
**C** **meeting shall be closed. The business on the agenda for the meeting shall be**  
**S** **adjourned to another meeting.**

- (x) A meeting shall not exceed a period of 2 hours.

## 4 Committees and Sub-Committees

- (a) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- (b) **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- (c) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- (d) The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c), 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 7 days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. 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;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and



xii. may dissolve a committee or a sub-committee.

## 5 Ordinary Council Meetings

- (a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- (b) In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- (c) If no other time is fixed, the annual meeting of the Council shall take place at 7pm.
- (d) In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.
- (e) The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.
- (f) The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
- (g) The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- (h) In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.
- (i) In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.
- (j) Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
  - i. In an election year, delivery by the Chairman 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 Chairman of the Council of their

**acceptance of office form unless the Council resolves for this to be done at a later date;**

- ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
- iii. Receipt of the minutes of the last meeting of a committee;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. 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;
- xiii. Review of inventory of land and other assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 11, 20 and 21);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

## **6 Extraordinary Meetings of The Council, Committees and Sub-Committees**

- (a) The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- (b) If the Chairman of the Council does not 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 shall be signed by the two councillors.**
- (c) The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- (d) If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within 7 days of having been requested to do so by 3 members of the committee [or the sub-committee], any 3 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

## **7 Previous Resolutions**

- (a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- (b) When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

## **8 Voting on Appointments**

- (a) 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 chairman of the meeting.

## **9 Motions for a Meeting that Require Written Notice to be Given to the Proper Officer**

- (a) A motion shall relate to the responsibilities of the meeting for which it is tabled 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.
- (b) 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 14 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- (c) The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- (d) If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 5 clear days before the meeting.
- (e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman 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.
- (f) The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- (g) Motions received shall be recorded and numbered in the order that they are received.
- (h) Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

## **10 Motions at a Meeting that do not Require Written Notice**

- (a) The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;
  - iv. to refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;

- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## 11 Management of Information

*See also standing order 20.*

- (a) The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- (b) The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- (c) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- (d) Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

## 12 Draft Minutes

**F** Full Council meetings

**C** Committee meetings

**S** Sub-committee meetings

- (a) 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.
- (b) 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(a)i.
- (c) The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- (d) If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- F** (e) **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- C**
- S**
- (f) Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following 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(u).*

- (a) All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- (b) Unless he 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 has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

- (c) Unless he 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 has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- (d) **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.**
- (e) A decision as to whether to grant a dispensation shall be made by the Proper Officer, if necessary in consultation with the Chairman or Vice Chairman, and that decision is final.
- (f) A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- (g) Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required
- (h) **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
  - i. **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;**
  - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
  - iii. **it is otherwise appropriate to grant a dispensation.**

## 14 Code of Conduct Complaints

- (a) Upon notification by the District or Unitary 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, report this to the Council.

- (b) Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman 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(d).
- (c) The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- (d) Upon notification by the District or Unitary 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

- (a) 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.
- (b) The Proper Officer shall:
  - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **Provide, in a conspicuous place, public notice of the time, place and agenda (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(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;



- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming their withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;  
(see also standing order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in their absence the Vice-Chairman (if there is one) of the Council 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 Council;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.

(see also standing order 23).

## 16 Responsible Financial Officer

- (a) The Council shall appoint the Clerk as the Responsible Financial Officer and 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

- (a) “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
- (b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- (c) The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the Council’s receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- (d) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- (e) The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## 18 Financial Controls and Procurement

- (a) 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:
- i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. 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;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- (b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- (c) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- (d) 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:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. 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;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

- v. 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;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- (e) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- (f) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- (g) **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

## 19 Handling Staff Matters

- (a) If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council OR the committee OR the sub-committee has decided whether or not the press and public shall be excluded pursuant to standing order 3.d above.
- (b) Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman of the Council or, in their absence, the Vice-Chairman of the Council of any absence occasioned by illness or other reason and that person shall report such absence to the next full Council meeting.
- (c) The Chairman of the Council or, in their absence, the Vice-Chairman of the Council shall upon a resolution conduct a review of the performance and/or appraisal of the Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Council. The Clerk will conduct a similar review of performance and/or appraisal on all officers reporting directly to them.

- (d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the Council or in their absence, the Vice -Chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- (e) Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Clerk, Assistant Clerk or Amenities Officer relates to the Chairman or Vice-Chairman of the Council, this shall be communicated to another member of the full Council, which shall be reported back and progressed by resolution of the Council.
- (f) Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance and capabilities, grievance and disciplinary matters.
- (g) The Council shall keep written records relating to employees securely. All paper records shall be secured under lock and electronic records shall be password protected.
- (h) Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- (i) Only persons with line management responsibilities, or councillors with specific permission of the Council, given at a meeting of the Council, shall have access to employee records referred to in standing orders 25(g) and 25(h) above if so justified.
- (j) Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 25(g) and 25(h) above shall be provided only to the Clerk, Chairman and Vice-Chairman of the Council.

## 20 Responsibilities to Provide Information

*See also standing order 21.*

- (a) **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- (b) **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

## 21 Responsibilities Under Data Protection Legislation

(Below is not an exclusive list).

*See also standing order 11.*

- (a) The Council may appoint a Data Protection Officer.
- (b) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- (c) The Council shall have a written policy in place for responding to and managing a personal data breach.
- (d) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- (e) The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- (f) The Council shall maintain a written record of its processing activities.

## **22 Relations with the Press/Media**

- (a) 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.

## **23 Execution and Sealing of Legal Deeds**

*See also standing orders 15(b)xii and 15(b)xvii.*

- (a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

*The above is applicable to a Council without a common seal.*

## **24 Communicating with District and County or Unitary Councillors**

- (a) An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.
- (b) Unless the Council determines otherwise, a copy of each letter sent to the District and County Council OR Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

## **25 Restrictions on Councillor Activities**

- (a) Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

## **26 Standing Orders Generally**

- (a) All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- (b) A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9.
- (c) The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- (d) The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

## **27 Standing Committees - Terms of Reference**

This section sets out the Term of Reference for the Council's key Committees.

- a) Each Committee will operate within Council Standing Orders and Financial Regulations plus any other statutory legislation that may apply.
- b) The Chairman of and Vice Chairman of Council are members of all Committees.
- c) Any Councillors may attend any or all Committee or Working Party meetings but only Councillors specifically appointed to a Committee may vote at that Committee.
- d) Terms of Reference for new Committees and any changes to current Terms of Reference shall be incorporated into the Standing Orders when they are approved in any Council Meeting.

## Recreation Committee Terms of Reference

### General:-

- 1) The Committee will operate within Council's Standing Orders, Financial Regulations, and within any statutory legislation that may apply to its activities.
- 2) The Chairman of and Vice Chairman of Council are full members of all committees.
- 3) Any Councillors may attend any or all committee or working party meetings but only those Councillors specifically appointed or co-opted to this committee may vote at this committee's meetings.
- 4) Any changes to these terms of reference shall be incorporated into the Standing Orders when approved in any Council meeting.
- 5) Members of the committee will be appointed at the Annual Parish Council meeting.
- 6) The Chairman of the committee will be elected at the Annual Parish Council meeting.
- 7) Co-opted members may join the committee during the year if so authorised by the Council at a Council meeting.
- 8) Members of the committee shall have voting rights in accordance with Standing Orders.
- 9) Quorum for the committee will be three members.
- 10) The Committee shall meet as and when required but at least 3 times a year.
- 11) Committee meetings will generally take place in the Barn and be clerked by the Clerk or Admin Clerk with such other administrative support as may be provided to the committee. The Amenities Officer will also be invited to attend the meetings.
- 12) Matters not specified as delegated to the committee must be referred to the Parish Council but may be supported by recommendations from the committee.
- 13) The committee can request Council to create Working Groups to review specific matters and make recommendations to the committee as to actions required.
- 14) These terms of reference are to be applied with common sense in order to allow the committee to function as a committee and fulfil its overall purpose.

### Specific:-

- a) The overall purpose of the Recreation Committee is the maintenance, improvement, management, and promotion of recreational facilities of the Parish Council and to promote recreation within the parish.
- b) At the first meeting after the Annual Parish Council meeting the committee will elect a vice chairman.
- c) The committee shall have the necessary delegated budget and responsibility in accordance with the Financial Regulations.
- d) The chairman of the committee should be prepared to attend committee meetings of the Purley Sports and Social Club.
- e) Representatives from sports clubs using the Parish Council recreational facilities will be invited to attend committee meetings and submit reports.
- f) The Committee Chairman will also be a member of the Parish Council's Recreation Land Committee.
- g) The committee has delegated power for the care and maintenance of the council's recreational grounds, sports facilities, car parks, and associated buildings, equipment, and plant in conjunction with the Ground Manager.



- h) The committee has delegated power for the short-term letting or renting of recreational facilities.
- i) The committee has delegated power for the care and maintenance of the children's play areas and ensuring that they comply with health and safety and any other relevant regulations.
- j) The committee has delegated powers to liaise and cooperate with sports and recreational bodies both within the parish and in neighbouring areas.
- k) The committee will undertake or commission regular risk assessments and maintain a register of risks for the recreational facilities.
- l) The committee will undertake regular reviews of all contracts, hire agreements and leases pertaining to recreational facilities with a view to making appropriate recommendations to Council.
- m) The committee will ensure it always follows the principle of Best Value
- n) The committee will make recommendations to council in respect of:-
  - i) the purchase of new or replacement equipment and plant.
  - ii) changes to fees and charges, to be reviewed annually, where permitted.
  - iii) as to the duties of both the Amenities Officer and Grounds Manager.
  - iv) as to the provision and replacement of sports equipment and play equipment.
  - v) as to the committee's budget.
  - vi) as to such care and maintenance of the tennis courts as is the responsibility of the Parish Council

## **Allotments & Village Amenities Committee Terms of Reference**

### **General:-**

- 1) The Committee will operate within Council's Standing Orders, Financial Regulations, and within any statutory legislation that may apply to its activities.
- 2) The Chairman of and Vice Chairman of Council are full members of all committees.
- 3) Any Councillors may attend any or all committee or working party meetings but only those Councillors specifically appointed or co-opted to this committee may vote at this committee's meetings.
- 4) Any changes to these terms of reference shall be incorporated into the Standing Orders when approved in any Council meeting.
- 5) Members of the committee will be appointed at the Annual Parish Council meeting.
- 6) The Chairman of the committee will be elected at the Annual Parish Council meeting.
- 7) Co-opted members may join the committee during the year if so authorised by the Council at a Council meeting
- 8) Members of the committee shall have voting rights in accordance with Standing Orders.
- 9) Quorum for the committee will be three members.
- 10) The Committee shall meet as and when required but at least 3 times a year.
- 11) Committee meetings will generally take place in the Barn and be clerked by the Clerk with such other administrative support as may be provided to the committee. The Amenities Officer will also be invited to attend the meetings.
- 12) Matters not specified as delegated to the committee must be referred to the Parish Council but may be supported by recommendations from the committee.
- 13) The committee can request Council to create Working Groups to review specific matters and make recommendations to the committee as to actions required.
- 14) These terms of reference are to be applied with common sense in order to allow the committee to function as a committee and fulfil its overall purpose.

### **Specific:-**

- At its first meeting after the Annual Parish Council Meeting the committee will elect a vice-chairman.
- The committee will have responsibility for the care and maintenance of any footpaths owned by the Parish Council and within the parish.
- The committee will make representations to the Highways Authority, where it deems it appropriate, in respect of the care and maintenance of public footpaths and bridleways within the parish, including overhanging trees obstructing or restricting footpaths.
- The committee will make recommendations to the Highways Authority as to the naming of new roads or as to proposed changes of road names.
- The committee will consider any proposed footpath orders within or affecting the parish.
- Subject to approval by the Council the committee will arrange attendance at public enquiries as to footpaths or highways matters within the parish.
- The committee will be responsible for the provision, siting, and maintenance of:-
  - i) any defibrillators or street furniture to be provided by the Parish Council.
  - ii) any public seating to be provided by the Parish Council, other than on the recreation grounds or within the burial ground.

- iii) any noticeboards to be provided by the Parish Council, other than those on the recreation grounds or burial ground.
  - iv) the provision, siting and maintenance of any dog waste bins to be provided by the Parish Council, and for negotiating the contracts for emptying the bins.
  - v) the provision, siting and maintenance of any litter bins to be provided by the Parish Council, and for negotiating the contracts for emptying the bins.
  - vi) the provision, siting and maintenance of any bus shelters to be provided by the Parish Council.
- The committee will consider all relevant public transport or highways plans for both West Berkshire Council and Reading Borough Council and where appropriate make representations to the highways authority on any public transport matters affecting the parish or its residents.
  - The committee will in or before November of each year prepare a budget for approval by Council for the forthcoming financial year.
  - The committee will supervise the care and maintenance of Pikeshaw and any other parcels of land owned by the Parish Council save for Goosecroft and Bucknell's Meadow. In particular the committee will ensure that regular reports on trees are obtained and that any work on trees owned by the Parish Council and deemed necessary by the experts will be carried out without delay.
  - The committee will be responsible for overseeing the care and maintenance of the Council's allotments, together with appointing and agreeing the terms of reference for the honorary allotments manager, the letting of allotment plots and the management of any waiting list for allotment plots and delegating such of these tasks as appropriate to the council's amenities officer.
  - The committee will adjudicate on any disputes regarding allotment occupancy, maintenance of allotments or letting of allotment plots that cannot be resolved by the office.
  - The committee will, at least once a year, review the rent for allotments plots as part of the budget setting exercise and ensure that at least 9 month's notice is given of any rent increase and will oversee the collection of all rents due for allotment plots.
  - The committee will be responsible for approving any proposed changes to the allotment rules.
  - The committee will be responsible for making representations to the office and Council as to any duties for a maintenance contractor.
  - The committee will be responsible for the supervision of the operation of Speed Indicator Display units within the parish and making recommendations as to speed restrictions and speed prevention measures.
  - To make representations to the Highways Authority and Thames Valley Police where appropriate as to all road safety issues within the parish or which impact upon residents including parking.
  - Where appropriate to report defects in roads and pavements within the parish to the Highways Authority.

## **Barn & Burial Ground Committee Terms of Reference**

### **General:-**

- 1) The Committee will operate within Council's Standing Orders, Financial Regulations, and within any statutory legislation that may apply to its activities.
- 2) The Chairman of and Vice Chairman of Council are full members of all committees.
- 3) Any Councillors may attend any or all committee or working party meetings but only those Councillors specifically appointed or co-opted to this committee may vote at this committee's meetings.
- 4) Any changes to these terms of reference shall be incorporated into the Standing Orders when approved in any Council meeting.
- 5) Members of the committee will be appointed at the Annual Parish Council meeting.
- 6) The Chairman of the committee will be elected at the Annual Parish Council meeting.
- 7) Co-opted members may join the committee during the year if so authorised by the Council at a Council meeting.
- 8) Members of the committee shall have voting rights in accordance with Standing Orders.
- 9) Quorum for the committee will be three members.
- 10) The Committee shall meet as and when required but at least 3 times a year.
- 11) Committee meetings will generally take place in the Barn and be clerked by the Clerk or Admin Clerk with such other administrative support as may be provided to the committee. The Amenities Officer will also be invited to attend the meetings.
- 12) Matters not specified as delegated to the committee must be referred to the Parish Council but may be supported by recommendations from the committee.
- 13) The committee can request Council to create Working Groups to review specific matters and make recommendations to the committee as to actions required.
- 14) These terms of reference are to be applied with common sense in order to allow the committee to function as a committee and fulfil its overall purpose.

### **Specific:-**

- At its first meeting after the Annual Parish Council Meeting the committee will elect a vice-chairman.
- The objective of the committee is to oversee management of the Barn and the Burial Ground.
- The committee will consist of between 5 and 7 members of Council.
- The committee will have delegated executive powers for the general management, maintenance and letting of the Barn and shall delegate to the Clerk and through the Clerk to other parish council staff as and where appropriate.
- The committee shall have the necessary delegated budget and responsibility in accordance with the Financial Regulations and subject to the following:
- The Committee will no later than November of each year set a budget for consideration and approval by Council, and as part of the budget setting exercise will carry out a review of the fees for Barn Hire.

- The committee will undertake a review of the Terms of Hire of the Barn on a regular basis.
- A full survey of the fabric and structure of the Barn will be carried out every 10 years with such work as is recommended as necessary being carried out as appropriate., subject to approval by the Parish Council
- An annual inspection of the Barn and its surrounding areas will be carried out by members of the committee.
- The committee will ensure that Health & Safety Regulations, including fire regulations are the subject of regular risk assessments by the office and that regular checks are made as to compliance.
- The committee will each year be presented with the office recommendation, for approval, as to the terms and conditions for Barn Hire, and a copy of the overall risk assessment.
- The committee will promote the use of the Barn as a Community facility for the residents of Purley on Thames.

### **Burial Ground**

- The Committee will no later than November of each year set a budget for consideration and approval by Council, and as part of the budget setting exercise will carry out a review of the fees for the Burial Ground.
- Works required in respect of the Burial Ground are to include the boundary walls, fencing, hedging, landscaping, and trees within the Burial Ground.
- The committee will carry out an annual review of the risk assessment for the Burial ground to ensure compliance with Health & Safety Regulations.
- The committee will each year be presented with the office recommendation, for approval, as to the terms and conditions for the Burial Ground and a copy of the overall risk assessment.
  - To review and recommend future changes to the Burial Ground Rules by reference to and with advice from the Clerk, and for consideration and approval by the Parish Council.
- The committee will carry out an annual inspection of the Burial Ground.
- The committee will ensure that burial and plot records are kept up to date and that relevant documents and records are kept in the fireproof safe.
- The Committee will be responsible for the maintenance of the Parish Church Clock and arrange in conjunction with the church an annual check or service of the clock.
- The committee will act as the initial body to consider any appeal or dispute with regard to requests for interments or memorials that are refused, or in relation to the costs thereof.
- The committee will preserve Lower Goosecroft for the proposed extension of the Burial Ground as and when required and will preclude any application to register Lower Goosecroft with Fields in Trust.

## Planning Committee Terms of Reference

### General:-

- 1) The Committee will operate within Council's Standing Orders, Financial Regulations, and within any statutory legislation that may apply to its activities.
- 2) The Chairman of and Vice Chairman of Council are full members of all committees.
- 3) Any Councillors may attend any or all committee or working party meetings but only those Councillors specifically appointed or co-opted to this committee may vote at this committee's meetings.
- 4) Any changes to these terms of reference shall be incorporated into the Standing Orders when approved in any Council meeting.
- 5) Members of the committee will be appointed at the Annual Parish Council meeting.
- 6) The Chairman of the committee will be elected at the Annual Parish Council meeting.
- 7) Co-opted members may join the committee during the year if so authorised by the Council at a Council meeting
- 8) Members of the committee shall have voting rights in accordance with Standing Orders.
- 9) Quorum for the committee will be three members
- 10) The Committee shall meet on the first and third Monday of the month at 6pm save on Bank Holidays when the meeting will be rearranged to the next convenient date.
- 11) Committee meetings will generally take place in the Barn and be clerked by the Admin Clerk or Clerk with such other administrative support as may be provided to the committee.
- 12) Matters not specified as delegated to the committee must be referred to the Parish Council but may be supported by recommendations from the committee.
- 13) The committee can request full Council to create Working Groups to review specific matters and make recommendations to the committee as to actions required.
- 14) These terms of reference are to be applied with common sense in order to allow the committee to function as a committee and fulfil its overall purpose.

### Specific:-

- a) The overall purpose of the Planning Committee is to exercise powers delegated to it by Council to receive, consider and make representations as it sees fit on planning applications.
- b) In the event that the committee are of the view that a planning application is of such a scale as to require the attention of Council the committee shall refer the matter to the Parish Council either at its next scheduled meeting or at an Extraordinary Meeting.
- c) The planning committee has the delegated power to raise with the planning authority any matters which it becomes aware of and which it believes may be in breach of planning law and require consideration of enforcement action.
- d) The planning committee will make any representations based upon the agreed and approved planning considerations current at the time.
- e) The planning committee has the delegated power to respond to all relevant consultation documents relating to planning and associated matters or if it feels it

appropriate recommend that consideration of, or approval of its representations on such consultation documents is carried out by the Parish Council.

- f) If there are no planning matters requiring consideration planning meetings may be cancelled by agreement of the Admin Clerk or Clerk and Committee Chairman or Vice-Chairman.
- g) At the first planning meeting after the Annual Council Meeting, the Committee will elect a Vice-Chairman.
- h) If the committee deem it appropriate or necessary for the proper engagement of the residents of the parish in respect of a Local Plan or a planning application of significant size to request from the Parish Council the allocation of a budget to facilitate such consultation.

## **Finance & Governance Committee Terms of Reference**

### **General:-**

- 1) The Committee will operate within Council's Standing Orders, Financial Regulations, and within any statutory legislation that may apply to its activities.
- 2) The Chairman of and Vice Chairman of Council are full members of all committees.
- 3) Any Councillors may attend any or all committee or working party meetings but only those Councillors specifically appointed or co-opted to this committee may vote at this committee's meetings.
- 4) Any changes to these terms of reference shall be incorporated into the Standing Orders when approved in any Council meeting.
- 5) Members of the committee will be appointed at the Annual Parish Council meeting.
- 6) The Chairman of the committee will be elected at the Annual Parish Council meeting.
- 7) Co-opted members may join the committee during the year if so authorised by the Council at a Council meeting
- 8) Members of the committee shall have voting rights in accordance with Standing Orders.
- 9) Quorum for the committee will be three members. The committee shall consist of up to 5 members.
- 10) The Committee shall meet as and when required but ideally at a convenient date and time prior to each parish Council Meeting.
- 11) Committee meetings will generally take place in the Parish Office and be clerked by the responsible Financial Officer (RFO) or the Clerk with such other administrative support as may be provided to the committee.
- 12) Matters not specified as delegated to the committee must be referred to the Parish Council but may be supported by recommendations from the committee.
- 13) The committee can request Council to create Working Groups to review specific matters and make recommendations to the committee as to actions required.
- 14) These terms of reference are to be applied with common sense in order to allow the committee to function as a committee and fulfil its overall purpose.

### **Specific:-**

- a) At its first meeting after the Annual Parish Council Meeting the committee will elect a vice-chairman.
- b) The committee shall have overall responsibility, in conjunction with the RFO, for the management of the Council's financial affairs in accordance with legislative requirements, regulations and guidelines. This shall include (but is not limited to):-
  - Reviewing payments and income statements with the RFO and recommending to Council to give retrospective approval of such income and payments.
  - Monitoring expenditure and income performance against the current budget.
  - Conducting an Annual Financial Risk Assessment and report on this to the Annual Parish Council meeting.
  - Reviewing the Council's banking arrangements.
  - Reviewing Council's accounting practices and systems.
  - Reviewing the Council's insurance policies and ensuring that Council is adequately insured.



- Reviewing the Council's committee's budget submissions and providing feedback to Council.
- Support in preparation of the Council central budget and making a recommendation to Council as to its acceptability.
- Recommending to full Council at the January meeting each year the level of precept required for the following financial year.
- Considering forward planning and provide earmarked reserves for the replacement or maintenance of equipment, property projects and any other long-term expenditure.
- Liaise with other committees and assist with financial aspects of issues under consideration.
- Receive and review the Internal and External Audit report and arrange the implementation of recommendations.
- Oversee all legal matters pertaining to leases, insurance claims, easements, tenancies, contracts, loans, insurance cover, damage to property, debt recovery, and make appropriate recommendations to Council.
- Negotiate the rent or purchase of land and properties on behalf of Council when instructed to do so by Council resolution and make recommendations to Council regarding the terms of negotiation.
- The committee will ensure that Council always follows the principle of Best Value.
- Undertake an annual review of Financial Regulations, Standing Orders and Committee Terms of Reference and make recommendations to Council for any changes required.

## Recreation Land Committee

To consist of the Chairman and Vice Chairman of Council, Chairman of Recreation Committee and Chairman of Allotments & Village Amenities Committee.

- The Parish Council acts in the capacity of the sole corporate trustee of the Charity created by the Deed dated 20 July 2007.
- This committee represents the Parish Councils interest in its capacity as a corporate trustee.
- The land managed by the Charity is:
  - (1) All that freehold property known as land at Goosecroft Recreation Ground which is identified on plan number 1 annexed and coloured red being part of title number BK41810.
  - (2) All that freehold property known as land at Bucknells Meadow which is the whole of title number BK185212.
  - (3) All that freehold property known as land at Pikeshaw Woodland which is the whole of title number BK273737.
  - (4) All that freehold property known as land at Trenthams Bowling Club which is the whole of title number BK323495.
- The Chairman of the Committee will be the Chairman of Council
- 3 members shall constitute a quorum for meetings.
- The Committee shall meet as required and at least once a year to approve the accounts for the charity.

## **Goosecroft Development Committee Terms of Reference**

### **General:-**

- 1) The Committee will operate within Council's Standing Orders, Financial Regulations, and within any statutory legislation that may apply to its activities.
- 2) The Chairman of and Vice Chairman of Council are full members of all committees.
- 3) Any Councillors may attend any or all committee or working party meetings but only Councillors specifically appointed or co-opted to this committee may vote at this committee's meetings.
- 4) Any changes to these terms of reference shall be incorporated into the Standing Orders when approved in any Council meeting.
- 5) Members of the committee will be appointed at the Annual Parish Council meeting.
- 6) The Chairman of the committee will be elected at the Annual Parish Council meeting.
- 7) Co-opted members may join the committee during the year if authorised by the Council at a Council meeting.
- 8) Members of the committee shall have voting rights in accordance with Standing Orders.
- 9) Quorum for the committee will be three members.
- 10) The Committee shall meet as and when required but will generally set meetings for every other week, but scheduled meetings will be cancelled if there are no Goosecroft Development matters to discuss.
- 11) Committee meetings will generally take place in the Barn and be clerked by the Clerk with such other administrative support as may be provided to the committee.
- 12) Matters not specified as delegated to the committee must be referred to the Parish Council but may be supported by recommendations from the committee.
- 13) The committee can request Council to create Working Groups to review specific matters and make recommendations to the committee as to actions required.
- 14) These terms of reference are to be applied with common sense in order to allow the committee to function as a committee and fulfil its overall purpose.

### **Specific:-**

- a) The overall purpose of the Goosecroft Development Committee is to oversee the management of the proposed Goosecroft Development Project to include undertaking fundraising, negotiating with the prospective landlords, planning authority and other relevant agencies, obtaining reports and estimates for ancillary works, and scrutiny and approval of documentation for tender for the works and to appoint such specialists as required for particular tasks within the project. On completion of the development responsibility will pass to the Recreation Committee or as directed by the Parish Council.
- b) The committee will at its first meeting after the Annual Parish Council meeting elect a Vice-chairman.
- c) The Committee shall have the necessary delegated budget and responsibility and comply with the Financial Regulations in relation to the project.

- d) The Committee has the following delegated executive powers until such time as the development project is completed and the management of the land passes to the Recreation Committee or the Parish Council:
- i) Care and maintenance of the Council's proposed Goosecroft extension recreation ground together with sports facilities, car parks and associated buildings, equipment, and plant, in conjunction with the Recreation Committee, Parish Council and any other interested committee.
  - ii) Liaison and co-operation with sports, recreational and other bodies in the Parish or neighbouring areas
  - iii) Conducting regular risk assessments and maintaining a register of risks throughout the project.
  - iv) The provision, care, and maintenance of appropriate public seating on the new recreation ground.
  - v) The development, care, and maintenance of the land to be leased to the Parish Council for the purposes of providing a new recreation ground at Upper Goosecroft until such time as it is passed as fit for organised sports activities and use.
  - vi) To prepare the site for handover to the Recreation Committee or as directed by the Parish Council for ongoing management of the facilities.
  - vii) Preparation of the draft budget each year.
  - viii) To oversee legal matters pertaining to the lease of the Goosecroft Extension land together with, easements, (rights of way and of services) tenancies, contracts, loans, insurance cover, damage to property, debt recovery and make recommendations to full Council.
  - ix) The Committee will ensure that it always follows the principle of Best Value.
- e) The committee will make recommendations to Council:-
- i) As to the Committee's budget for the ensuing year.
  - ii) As to the appointment of and duties of a maintenance contractor.
  - iii) Any such other recommendations as appropriate as a result of its delegated actions.

## Events Management Committee

For any events that may occur and which the Parish Council vote to support

- Members of the Committee are established as required by the nature of the event.
- New members of the Committee will be established to manage each event.
- Each Committee shall consist of at least two Councillors, unless specifically approve otherwise by the Parish Council, who will be responsible for reporting back to the Council.
- The Committee will only be active for the planning stage, actual duration and winding up stage of the event. Once an event has concluded and been wound up the committee will not meet, have members save for the de facto members, or any budget until such time as necessity requires it to be reinstated
- The Committee shall elect a Chairman and Vice-Chairman.
- Non-council members may be co-opted at the discretion of the Committee.
- Three members (including lay members) shall constitute a quorum for meetings.
- The Committee shall have delegated executive powers for the running of the event.
- The Committee shall have the necessary delegated budget responsibility and shall comply with the Council's Financial Regulations.
- The Committee shall meet as an when required but on at least 2 occasions before the event and at least once after the event has concluded.
- Any requests to Council officers must be made through a Councillor member of the committee.

### Financial Regulations.

- The Committee shall make recommendations as to the Committee budget for the ensuing year(s) for its specific event.
- The Committee will ensure that suitable contracts are in place for any services or goods bought in for the event.
- The Committee will ensure that all contractors providing services have in place, and produce to the committee, a copy of their public liability insurance.
- The Committee will ensure that all financial risks are minimised for the Council.
- The Committee will ensure that all Council process are followed as required.
- The Committee will ensure that all necessary consents and approvals for the event are obtained from 3<sup>rd</sup> parties
- The Committee will ensure that all Health and Safety Regulations, including fire regulations, are complied with and that regular risk assessments and checks are carried out.
- The Committee will ensure that any activities that it carries out during the course of the event are acceptable to Council and compliant with the objectives of Council, and will follow the usual process for committees to report to Council

## 28 Delegated Authorities to Officers

Where the appointed officer is absent or cannot be contacted then either the Clerk or Administrative Assistant may act in the appointed officer's place. All decisions must be in line with agreed Council policy. Financial authorisation limits are given in the Financial Regulations

| <b>Decision Area</b>  | <b>Officer</b> | <b>Financial Limit</b> (must be within budgeted levels unless otherwise specified) | <b>Conditions</b> |
|---|----------------|--|-------------------|
| To act as Proper Officer for the purpose of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.<br>(See section 3 of new SOs) | Clerk          | Not Applicable   |                   |

| <b>Decision Area</b>   | <b>Officer</b> | <b>Financial Limit</b> (must be within budgeted levels unless otherwise specified) | <b>Conditions</b>   |
|--|----------------|--|---|
| To act as the designated and authorised Responsible Financial Officer for the purpose of any statute requiring the designation of a Responsible Financial Officer. Local Government Act 1972 s151 refers.<br>(See PPC Financial Regulations) | Clerk          | Not applicable   |   |
| To alter the date and/or time of a Council or Committee meeting.   | Clerk          | Not applicable   | The Chairman of the Council or Committee concern shall be consulted about the need for the change and about alternative dates and times prior to the change being notified to attendees of the committee concerned. |
| To grant the power of delegation for any actions necessary before the May Council meeting in consultation with the Chair and Committee Chairs  | Clerk          | Not applicable   | None  |

| <b>Decision Area</b>  | <b>Officer</b> | <b>Financial Limit</b> (must be within budgeted levels unless otherwise specified)     | <b>Conditions</b>   |
|---|----------------|--|---|
| To decide the arrangements for the closure of the Council offices in the Christmas and New Year period or for Health and Safety reasons.  | Clerk          | Not applicable   | The Chairman of Council shall be consulted prior to any arrangements being published.                     |
| To arrange for cover of employees' absences through leave or bank holidays as required.   | Clerk          | Not applicable   | Affected committee Chairmen to be notified of arrangements.   |
| To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000.                                       | Clerk          | Not applicable   | None  |
| To set up direct debits for the payment of the Council's electricity, gas, water, phone, waste disposal and any other essential services. | Clerk          | None   | Advise next Council meeting.  |
| To accept casual bookings for Sports facilities.  | Clerk          | As per set hire charges. Discounts up to 25% at officer's discretion for worthy cases. | If discount given, advise Recreation Chairman as soon as practical and report at next Recreation meeting. |



| <b>Decision Area</b>  | <b>Officer</b>           | <b>Financial Limit</b> (must be within budgeted levels unless otherwise specified)     | <b>Conditions</b>   |
|---|--------------------------|--|---|
| To accept bookings for Barn.  | Clerk                    | As per set hire fees.<br>Discounts up to 25% at officer's discretion for worthy cases. | Barn Chairman to be consulted on Band D cases.<br><br>If discount given, advise Barn Chairman as soon as practical and report at next Barn meeting. |
| To accept requests for burial and cremation plots.                          | Administrative Assistant | As per set fees.   | None  |
| To approve design and installation of memorials.                            | Administrative Assistant | As per set fees.   | Within guidelines   |
| To accept request for allotments.<br>To raise regular fees as required.     | Amenities Officer        | As per set fees.   | None  |
| To pay employee salaries  | Clerk                    | Within budgeted levels.  | At rates agreed by Council.   |
| To operate PAYE NI and VAT schemes.   | Clerk                    | Within budgeted levels.  | None.   |
| To authorise expenses by all officers and Councillors other than the Clerk. | Clerk                    | Within budgeted levels.  | None.   |
| To authorise expenses for the Clerk.  | Administrative Assistant | Within budgeted levels.  | None  |

| <b>Decision Area</b>   | <b>Officer</b>           | <b>Financial Limit</b> (must be within budgeted levels unless otherwise specified) | <b>Conditions</b>  |
|--|--------------------------|--|--|
| To pay all properly authorised expenses for all officer and Councillors.   | Clerk                    | None.  | Advise next Council meeting.   |
| To suggest and arrange all staff and Councillor training that may be required.   | Clerk                    | Within budget levels.  | Discuss with Chairman of Council prior to any bookings being made.   |
| To approve copy/wording for information published on Parish website and Facebook.  | Clerk                    | Not Applicable   | None.  |
| To act as the Ground Manager when decisions regarding the fitness of the sports grounds for play when insufficient time is available to call a Recreation Committee meeting. | Clerk                    | Not Applicable   | The position of Ground Manager is unoccupied   |
| To provide comment to West Berkshire Council on Planning Applications which require a response before the next scheduled meeting of the Planning Committee.                  | Administrative Assistant | Not Applicable   | Consult at least three voting members of the Planning Committee prior to making any comment. The Planning Committee to endorse formally the Officers comments at the next scheduled meeting of the Planning Committee. |

| <b>Decision Area</b>   | <b>Officer</b> | <b>Financial Limit</b> (must be within budgeted levels unless otherwise specified) | <b>Conditions</b>   |
|--|----------------|--|---|
| To provide dispensation under section 33(1) of the Localism Act where a voting member of any Committee or sub-Committee declares a pecuniary interest. | Clerk          | Not Applicable   | To be recorded in the minutes of any meeting where a member votes and a pecuniary dispensation applies. |
| To authorise repairs or maintenance in respect of the Bungalow.  | Clerk          | Maximum £1,000   |   |