Loggerheads Parish Council
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In attendance: Cllrs Beales, Butterworth, Fox, Hodgkins, Roberts, Sheard, Swan, Swetman and Wellard.

MINUTES OF THE FINANCE AND GENERAL PURPOSES COMMITTEE HELD ON MONDAY 11TH DECEMBER 2023

1. To receive and consider apologies for absence

   Apologies were received from Cllrs Love (illness) and Lee (illness).

2. To note declarations of Members' interests

   There were no declarations of Members' interests.

3. To approve and sign the minutes of the Finance and General Purposes Committee meeting held on Monday 13th November 2023

   Resolved: To sign the Minutes of the meeting as a true and accurate record.

4. Public Question Time

   There were no Members of the Public in attendance.

5. To note the year-to-date financial position for the Parish Council **(attached)**

   Noted

6. To receive a report from the Member Auditors **– Cllrs Sheard and Wellard**

   NONE

7. To consider the final budget for the financial year 2024/25, and recommend to Full Council

   Resolved: To review the final draft budget proposal at the January meeting.

8. To consider the following grant applications: -

   NONE

9. To consider the following governance documents: -

   a. Standing Orders

Resolved: To recommend adoption of the Model Standing Orders.

11. To consider matters relating to communications

NONE

12. To consider matters relating to Parish Events

a. To consider matters relating to the 80th Anniversary of D-Day in 2024 **– Cllr Swan**

Cllr Swan provided the meeting with a verbal update in relation to continuing plans to commemorate D-Day on Saturday 8th June 2024. All plans are thought to still be in place at the time of this update.

13. To receive updates in relation to ongoing projects

a. Burntwood Community Area (formerly 'LV1')

A recent discussion between the Parish Council and Borough Councils has now confirmed the contents, and it is hoped this will be received by the Parish Council shortly.

14. To consider the following Member Items: -

NONE

15. To note the date of the next **Finance and General Purposes Committee** meeting as being held at **7pm, Monday 15th January 2024** at Loggerheads Community Fire Station

Chair: Cllr L. Beales
Clerk: B. Minshall

Close of Meeting: 19:33pm

Signed…….

Loggerheads Parish Council
Net Position by Cost Centre and Code

Cost Centre Name

Administration			Receipts		Payments		Current Balance
Code	Title	Bal. B/Fwd.	Budget	Actual	Budget	Actual	Budget
1	Payroll				36,000.00	14,865.35	21,134.65
2	Payroll Admin				300.00	216.50	83.50
3	Grounds Maintenance Offi				18,000.00	5,894.87	12,105.13
5	Consultancy and Legal Ad				2,000.00		2,000.00
6	Expenses				300.00	338.10	-38.10
9	Information Technology				4,000.00	4,284.26	-284.26
10	Insurance and Audit				2,000.00	1,996.20	3.80
13	Room Hire				400.00		400.00
15	Subscriptions				1,000.00	1,247.48	-247.48
16	Training				1,000.00	120.00	880.00
17	Utilities				1,000.00	326.50	673.50
20	Pension					1,645.41	-1,645.41
21	Council Tax Support Grant			2,408.00			2,408.00
23	Bank Charges					20.00	-20.00
24	Tax and NI					3,002.88	-3,002.88
25	Data Protection Registratic					35.00	-35.00
26	Phone/Internet poss IT					309.81	-309.81
27	Loggerheads Library				1,000.00	37.50	962.50
28	Elections				4,000.00		4,000.00
				£2,408.00	**71,000.00**	**£34,339.86**	**39,068.14**

Capital Borrowing			Receipts		Payments		Current Balance
Code	Title	Bal. B/Fwd.	Budget	Actual	Budget	Actual	Budget
11	Burntwood Loan Repayme				1,600.00	777.87	822.13
					1,600.00	**£777.87**	**822.13**

General			Receipts		Payments		Current Balance
Code	Title	Bal. B/Fwd.	Budget	Actual	Budget	Actual	Budget
4	Allotments			660.00	1,100.00	1,090.00	670.00
12	Parish Events				1,000.00	685.00	315.00
14	Speed Indication Devices				2,100.00		2,100.00
				£660.00	**4,200.00**	**£1,775.00**	**3,085.00**

Grounds Maintenance			Receipts		Payments		Current Balance
Code	Title	Bal. B/Fwd.	Budget	Actual	Budget	Actual	Budget
8	Grounds Maintenace				8,000.00	20,562.59	-12,562.59
					8,000.00	**£20,562.59**	**-12,562.59**

Income			Receipts		Payments		Current Balance
Code	Title	Bal. B/Fwd.	Budget	Actual	Budget	Actual	Budget
18	Income			17,812.48			17,812.48
19	Precept			94,000.00			94,000.00
22	Bank Interest			617.30			617.30
				£112,429.78			**112,429.78**

Section 137			Receipts		Payments		Current Balance
Code	Title	Bal. B/Fwd.	Budget	Actual	Budget	Actual	Budget
7	Grants				10,000.00	1,080.00	8,920.00
					10,000.00	**£1,080.00**	**8,920.00**

Current Balance = Balance B/Fwd - (Receipt Budget - Actual Receipt) + (Payment Budget - Actual Payments)

Loggerheads Parish Council
Net Position by Cost Centre and Code

Cost Centre Name					
NET TOTAL	**£115,497.78**	**94,800.00**	**£58,535.32**		**151,762.46**

Current Balance = Balance B/Fwd - (Receipt Budget - Actual Receipt) + (Payment Budget - Actual Payments)

AGENDA ITEM 7

BUDGET PLANNING 2024 - 25

	2023 - 2024	2024 - 2025	VAR
Payroll	36,000.00	52,000.00	(16,000.00)
Tax and Employers NI	0.00	14,000.00	(14,000.00)
Pension	0.00	3,200.00	(3,200.00)
Payroll Admin	300.00	300.00	0.00
Bank Charges	0.00	120.00	(120.00)
Grounds Maintenance Officer	18,000.00	0.00	18,000.00
Allotments	1,100.00	1,100.00	0.00
Consultancy & Legal	2,000.00	2,000.00	0.00
Expenses	300.00	2,000.00	(1,700.00)
Grounds Maintenance	8,000.00	10,000.00	(2,000.00)
IT / Stationery / Printing	4,000.00	4,000.00	0.00
Insurance / Audit	2,000.00	3,000.00	(1,000.00)
Loan Repayment	1,600.00	1,600.00	0.00
Loan Repayment	2,500.00	0.00	2,500.00
Parish Events	1,000.00	2,000.00	(1,000.00)
Play Equipment	0.00	16,400.00	(16,400.00)
Room Hire	400.00	400.00	0.00
S137 Grants	10,000.00	10,000.00	0.00
SIDs	2,100.00	5,000.00	(2,900.00)
Subscriptions	1,000.00	3,100.00	(2,100.00)
Training	1,000.00	2,000.00	(1,000.00)
Utilities	1,000.00	1,000.00	0.00
TOTAL	**92,300.00**	**133,220.00**	(40,920.00)
	93,419.36		
	94,000.00		

EARMARKED RESERVES	
Delegation	1,000.00
Loggerheads Library	1,000.00
Elections	4,000.00
TOTAL	6,000.00

INCOME	
Allotments	792.00
Burntwood	800.00
Council Tax Support Grant	2,408.00
Wayleave	12.64
TOTAL	**4,012.64**

TOTAL REQUIRED	**135,207.36**
	136,000

Precept 2023/24	46.12365064	
		19.28871511
Precept 2024/25	65.41236575	
	65.79583938	19.67218874

MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022

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INTRODUCTION

This is version two of Model Standing Orders 2018 (England) updated in April 2022. Update to Model Standing Order 18 only.

How to use model standing orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '( )' requires information to be inserted by a council. A model standing order that includes brackets like this '[ ]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

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 Chair 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 Chair 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 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.

h 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 of the meeting.

i 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 Chair of the meeting.

j One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.

k A Councillor may not move more than one amendment to an original or substantive motion.

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

m Unless permitted by the Chair 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 they last spoke.

iii. to make a point of order.

iv. to give a personal explanation

n 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.

o A point of order shall be decided by the Chair of the meeting and their decision shall be final.

p 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.

ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

q 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 their right of reply.

r Excluding motions moved under standing order 1(p), the contributions or speeches by a Councillor shall relate only to the motion under discussion.

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 Chair of the meeting shall request such person(s) to moderate or improve their conduct.

b 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 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 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

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

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

● 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 **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.**

● 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 of the Council.

f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the Chair of the meeting.

g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes unless directed by the Chair of the meeting.

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 Chair of the meeting may direct that a written 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 Chair 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 whole meeting.

k 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.

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.**

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.**

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.**

o **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/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**

p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) 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.**

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.**

r **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/her/their casting vote whether or not he/she/they gave an original vote.**

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

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 names of Councillors who are present and the names of Councillors who are absent.

ii. interests that have been declared by Councillors and non-Councillors

with voting rights.

iii. the grant of dispensations (if any) to Councillors and non-Councillors with voting rights.

iv. if there was a public participation session.

v. the resolutions made.

u **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 their right to participate and vote on that matter.**

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

w **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.

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. shall permit a Committee other than a standing Committee, to appoint its own chair at the first meeting of the committee.

vi. 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 6pm.**

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 Chair and Vice-Chair of the Council.**

f **The Chair of the Council, unless they have resigned or become 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-Chair of the Council, if there is one, unless they have resigned or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next Annual Meeting of the Council.**

h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the Annual 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 shall give a casting vote in the case of an equality of votes.**

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

j Following the election of the Chair of the Council and Vice-Chair of the Council at the Annual Meeting, the business shall include:

i. **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 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. Appointment of any new committees in accordance with standing order 4;

vi. Review and adoption of appropriate Standing Orders and Financial Regulations;

vii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.

viii. Review of representation on or work with external bodies and arrangements for reporting back.

ix. 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.

x. Review of inventory of land and other assets including buildings and office equipment.

xi. Confirmation of arrangements for insurance cover in respect of all insurable risks.

xii. Review of the Council's and/or staff subscriptions to other bodies.

xiii. Review of the Council's complaints procedure.

xiv. 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*);

xv. Review of the Council's policy for dealing with the press/media.

xvi. Review of the Council's employment policies and procedures.

xvii. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

xviii. Determining the time and place of ordinary meetings of the Council.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

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

b **If the Chair 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.**

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 7 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 until a majority of votes is given.

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 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 5 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 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.

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.

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 extend the time limits for speaking.

x. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest.

xi. to not hear further from a Councillor or a member of the public.

xii. to exclude a Councillor or member of the public for disorderly conduct.

xiii. to temporarily suspend the meeting.

xiv. to suspend a particular Standing Order (unless it reflects mandatory statutory or legal requirements).

xv. to adjourn the meeting.

xvi. 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

Full Council meetings ●
Committee meetings ●
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 chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they 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 their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

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.**

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 they have 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.

c Unless they have 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 they have another interest if so required by the Council's Code of Conduct. They may return to the meeting after it has considered the matter in which he/she/they 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 a meeting of

the Council, or Committee or Sub-Committee for which the dispensation is required, 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.

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 at the beginning of the meeting of the Council, or Committee or Sub-Committee 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.

iii. it is otherwise appropriate to grant a dispensation.

14. CODE OF CONDUCT COMPLAINTS

a Upon notification by the County or Borough 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 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(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 County or Borough 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 them. 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 Clerk 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 5 days before the meeting confirming their withdrawal of it.

iii. **convene a meeting of the Council for the election of a new Chair 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 (if there is one).

x. receive and send general correspondence and notices on behalf of the Council.

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. refer a planning application received by the Council to the Chair or in their absence Vice-Chair (if there is one) of the Council and to the Chair or in their absence Vice-Chair of the Planning and Environment Committee if the nature of a planning application requires consideration before the next ordinary meeting of the Council or Planning and Environment committee.

xv. manage access to information about the Council via the publication scheme; and

xvi. 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 Clerk 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.

which 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 Clerk (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 5 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 referred to in Standing Order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 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 any 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 two Councillors 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. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

19. HANDLING STAFF MATTERS

a A matter personal to a member of staff that is being considered by a meeting of Council or the Personnel Committee is subject to standing order 11.

b The Chair of the Personnel Committee or in their absence, the Vice-Chair shall conduct a review of the performance and annual appraisal of the work of the

Proper Officer. The reviews and appraisal shall be reported in writing to the Personnel Committee.

c Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chair of the Personnel Committee or in their absence, the Vice-Chair of the Personnel Committee in respect of an informal or formal grievance matter, and this matter shall be reported back to the Personnel Committee.

d Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by Proper Officer relates to the Chair or Vice-Chair of the Personnel Committee, this shall be communicated to another member of the Personnel Committee, which shall be reported back and progressed by resolution of the Personnel Committee.

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

f In accordance with Standing Order 11(a), persons with line management responsibilities shall have access to staff records referred to in Standing Order 19(f).

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. If gross annual income or expenditure (whichever is higher) does not exceed £2000,000 **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 (xvii).

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

b **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 COUNTY OR BOROUGH 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 County Council and Borough Council 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 7 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.