

# **LONGFORD PARISH COUNCIL**

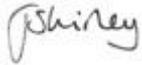
Email: [longfordpc@outlook.com](mailto:longfordpc@outlook.com) ~ Tel: 07759 118922

29<sup>th</sup> June 2021

I hereby give notice that the Annual meeting of Longford Parish Council will be held in **Longford Village Hall** on **Tuesday 6<sup>th</sup> July 2021 at 7.30pm**, following the Annual Parish Meeting.

**Members of the Council** are hereby summoned to attend for the purpose of transacting the business as set out below.

**All residents** of the Parish are welcome to attend and a period of 15 minutes is set aside for members of the public to raise questions.



**Julie Shirley, Clerk to Longford Parish Council**

## **AGENDA**

1. To note attendance and apologies for absence
2. To receive declarations of interest in items on the agenda
3. To approve the minutes of the meeting held on 18<sup>th</sup> May 2021.
4. To review outstanding actions from previous meeting.
5. To note that Notice of Vacancy has been displayed following resignation by Cllr P Gough.
6. To consider applications to fill councillor vacancies by Co-option (4 vacancies).

The meeting may be adjourned at this point for members of the Public to speak. (10 mins max)

*Members of the public are welcome to speak regarding any matter on the agenda or any items they wish to bring to the attention of the Parish Council; the Parish Council is not permitted to make any decisions during the public session. Members of the public are not permitted to address the meeting once the public session is concluded.*

To receive a report from County Councillor (5 mins)

To receive a report from the Borough Councillors (5 mins)

### **7. Finance / Procedures (30 mins)**

- 7.1 To receive the latest bank reconciliations (May) and budget versus spend report for the 2021/22 accounts.
- 7.2 To approve the payment of expenses for Clerk (£66.00).
- 7.3 To review the Standing Orders
- 7.4 To review the Financial Regulations
- 7.5 To review the Code of Conduct
- 7.6 To review the Risk Management Scheme
- 7.7 To review direct debits and standing orders
- 7.8 To review the Council's bankers and authorised signatories
- 7.9 To approve attendance at councillor training on 7<sup>th</sup> September 10am-noon (part 1) and 21<sup>st</sup> September 10am-noon (part 2) at a cost of £25 per councillor per course, both courses delivered online via Zoom.
- 7.10 To ratify the payments made since the last meeting:

<b>Invoice Date</b>	<b>Payee</b>	<b>Net</b>	<b>VAT</b>	<b>Gross</b>	<b>Budget</b>
30/06/21	Salaries June 2021 & HMRC PAYE/NI	£772.19	£0	£772.19	Admin
21/05/21	BHIB Ltd	£472.36	£0	£472.36	Insurance
28/05/21	Glebe Contractors	£393.14	£78.63	£471.77	P&OS
				£1716.32	

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- 8. Parks and Open Spaces** (15 mins)
- 8.1 To receive an update on plans for the memorial garden on Sivell Close
- 8.2 To consider supporting a resident request for tree planting along the brook adjacent Fircroft Road.
- 8.3 To consider measures to remove rabbits from the allotments.
- 9. To consider arrangements for community events with Longford Village Hall** (10 mins)
- ) First Aid / Bike Marking / World War talk
  - ) Car boot 7<sup>th</sup> August 2021
  - ) Village fete on Jubilee weekend 2022.
- 10. Highways** (10 mins)
- 10.1 To discuss the Sivell Close / Fircroft Road “rat-running” of traffic
- 10.2 To discuss feeding into the adoption of roads and pavements in the new development off Longford Lane
- 11. To consider the Community Governance Review (deadline 15<sup>th</sup> September)** (15 mins)
- 12. To receive reports from representatives for information only:** (5 mins)
- ) Allotments
  - ) Finance
  - ) Personnel
  - ) Play Park & Playing Field
  - ) Village Hall Working Group.

**Minutes of the Annual Parish Council Meeting held on  
Tuesday 18<sup>th</sup> May 2021 at 8.00pm at Longford Village Hall**

1. **To elect Chair of Longford Parish Council** and receive Chair's Declaration of Acceptance of Office. Cllr K Doherty proposed Cllr L Gough, she declined the position. Cllr E Doherty proposed Cllr K Doherty, seconded by Cllr L Gough. All in favour. The Council received the Chair's Declaration of Acceptance of Office.
2. Cllr K Doherty proposed bringing forward the item to consider applications to fill councillor vacancies by Co-option, all agreed. Mr Wallace and Mr Ford were both invited to address the meeting, and each explained their reasons for wanting to join the Parish Council. Cllr K Doherty proposed that Mark Wallace be co-opted to Council, seconded by Cllr L Gough. Cllr K Doherty proposed Jim Ford be co-opted to Council, seconded by Cllr L Gough. All in favour to both appointments. There was a pause in the meeting whilst paperwork was signed.
3. **To elect Vice-Chair of Longford Parish Council.** Cllr K Doherty proposed Cllr L Gough, seconded by Cllr M Wallace, all in favour.
4. **To appoint officers and representatives** to the LPC committees / working groups / external bodies. Cllr L Gough suggested that Cllr P Gough will continue to lead on the park and playing field, Cllr J Ford will lead on Highways matters (Cllr E Doherty will handover information to Cllr Ford). Cllr K Doherty will continue to represent the parish council on Personnel and the Village Hall Committee. Cllr Ford will lead on Finance and scrutinise the accounts twice a year.
5. **To agree meeting dates** for 2021/22. Cllr K Doherty proposed that Council meet on the first Tuesday of every month with the exception of August and January. No meeting to be held on 1<sup>st</sup> June 2021 but the Clerk will hold a councillor induction evening for Cllrs Wallace and Ford. Cllr L Gough seconded, all in favour.
6. **Attendance noted as:** Cllrs K Doherty (Chair), E. Doherty, J. Ford, L. Gough (Vice-Chair), M. Wallace. **Also present:** J. Shirley (Clerk), **Members of public present:** One  
**Apologies:** Cllr P. Gough
7. **Declarations of interest in items on the agenda:** None.
8. **Approval of the minutes of the meeting** held on 6<sup>th</sup> April 2021. Council resolved to approve the minutes.
9. **Review outstanding actions from previous meeting:** None.
10. Council noted that the Notice of Vacancy has been displayed and that no election has been called to fill the vacancy left by Cllr Hamblett; Council can co-opt to fill the vacancy.

The meeting was adjourned at this point for members of the Public to speak.

A resident raised the continuing issue of dog fouling on the football pitch; Clerk to contact Environmental Health at Tewkesbury Borough Council to see if they could go into the local school to give a talk on the issues of dog fouling. The resident also asked if the Council planned to have the playing field grass treated as in previous years; Clerk will request a quote and bring to next Council meeting.

**11. Finance / Procedures**

- 11.1. Council approved the bank reconciliation and budget versus spend reports for April 2021. Proposed by Cllr K Doherty, seconded by Cllr E Doherty, all in favour.
- 11.2. Council approved the payment of expenses for Clerk (£95.99). Proposed by Cllr K Doherty, seconded by Cllr E Doherty, all in favour.
- 11.3. Council agreed the dates (14<sup>th</sup> June to 23<sup>rd</sup> July 2021) for the Public Rights & Publication of Annual Governance & Accountability Return. Proposed by Cllr K Doherty, seconded by Cllr L Gough, all in favour.
- 11.4. Council reviewed the insurance due for renewal 1<sup>st</sup> June. and select insurer from the quotes provided. Proposed by Cllr E Doherty to select BHIB on a 3 year Long Term Arrangement, seconded by Cllr J Ford, all in favour.
- 11.5 Council approved invoices for payment, proposed by Cllr K Doherty, seconded by Cllr E

Doherty, all in favour:

Invoice Date	Payee	Net	VAT	Gross	Budget
30/05/21	Salaries & Expenses	£532.78	£4.40	£537.18	Admin
30/03/21	Greenfields Garden Services Ltd	£170.00	£34.00	£204.00	P&OS
30/04/21	Glebe Contractors	£393.14	£78.63	£471.77	P&OS
12/05/21	Complete Weed Control (North Wessex) Ltd	£350.00	£70.00	£420.00	Maintenance
				£1632.95	

11.6 Council ratified the accounts for payment, proposed by Cllr E Doherty, seconded by Cllr L Doherty, all in favour:

Invoice Date	Payee	Net	VAT	Gross	Budget
30/04/21	Salaries & Expenses	£441.39	£0	£441.39	Admin
24/03/21	SLCC Enterprises	£499.00	£69.80	£568.80	Training
31/03/21	Glebe Contractors	£976.00	£195.20	£1,171.20	P&OS
15/04/21	PATA UK – payroll services annual invoice	£95.40	£0	£95.40	Admin
	<b>TOTALS</b>			<b>£2,276.79</b>	

## 12. Parks and Open Spaces

12.1. The Clerk gave an update on plans for the memorial garden on Sivell Close and a sketch of the garden was circulated to Councillors. **Action: Clerk** to finalise design and request quotes to bring to next meeting.

12.2. To consider supporting a resident request for tree planting along the brook adjacent Fircroft Road. Council deferred to give this proper consideration. **Action: Clerk** to put on next agenda.

Cllr L Gough left the meeting.

## 13. To receive reports for information:

- ) Allotments – 3 plots available
- ) Finance – no new update
- ) Highways – Clerk read out an email received from the Local Highways Manager dated 30<sup>th</sup> April 2021 which followed-up a site meeting held between Councillors and Highways.
- ) Personnel – no new update
- ) Play Park & Playing Field – swing seats may be reinstated when the next lockdown easing is announced, expected June.
- ) Village Hall Committee – no new update
- ) Village Hall Working Group – no new update

Next meeting Tuesday 6<sup>th</sup> July 2021 at the village hall.

**Meeting closed at 9.03pm.**

Signed .....

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Date .....

## BANK RECONCILIATION 2021-22

<b>BANK BALANCES 30 MAY 2021</b>	
Lloyds Bank – Treasurer's Account (current)	£77,528.93
<b>TOTAL MONIES IN BANK</b>	<b>£77,528.93</b>
<b>LESS OUTSTANDING CHEQUES</b>	
Chq 1503	204.00
Chq 1504	471.77
Chq 1505	420.00
<b>TOTAL OUTSTANDING CHEQUES</b>	<b>£1,095.77</b>
<b>TRUE BALANCE AT 30/05/21</b>	<b>£76,433.16</b>
Opening Balance at 01/04/21	£79,618.75
Receipts year to date	£12,482.05
Sub-total	£92,100.80
Expenditure year to date	£15,667.64
<b>TRUE BALANCE AT 30/05/21</b>	<b>£76,433.16</b>

Signed Clerk ..... Date.....  
Name

Signed Chairman ..... Date.....  
Name

<b>LONGFORD PARISH COUNCIL</b>					
<b>BUDGET versus SPEND 2021/22</b>					
	<b>£</b>	<b>£</b>	<b>£</b>		
<b>INCOME</b>	<b>Budget</b>	<b>Received as at 30/05/21</b>	<b>Balance</b>	<b>Notes</b>	
Precept	20750	10375	10375.00		
Allotments	500	400		£304 received March 2021	
Playing Field / Grants	300	300			
<b>EXPENDITURE</b>	<b>Budget</b>	<b>Spent as at 30/04/21</b>	<b>Balance</b>	<b>Notes</b>	
Staff costs	7000	1654.77	5345.23		
General Admin/expenses	2700	812.70	1887.30		
Insurance	700	0.00	700.00		
Donations	250	0.00	250.00		
Parks/Open Spaces	4500	1839.14	2660.86		
Allotments	2000	0.00	2000.00		
Maintenance	2250	350.00	1900.00		
Training	300	499.00	-199.00		
IT	150	0.00	150.00		
Newsletter/Website	200	0.00	200.00		
New equipment	0	0.00	0.00		
Projects	1500	10000.00	-8500.00		
Earmarked Reserves contribution	0	0.00	0.00		
	21550	15155.61	6394.39		
<b>EARMARKED RESERVES as at April 2021</b>					
Projects	5954				
Playground eqpt/fencing	15150				
Existing Notice Boards x 2	1600				
New Notice boards Fund	3199				
Defibrillators/cabinets	960				
Web/IT eqpt/Transparency fund	1550				
Fencing/other assets	5000				
Park furniture 12 benches	3600				
Annual inflation allowance	77				
<b>TOTAL RESERVES</b>	<b>31136</b>				

# Travel and Expenses Claim

Name JULIE SHIRLEY

Address .....

Use Code	Vehicle	Cubic	Office Use
E-essential	Registration	Capacity	Rate/
C-casual			Lump sum
C			45p per mile

Date	Destination	Details	Miles	Parking	Fares	Notes	
01/06/2021		June Home Office Allowance (electricity, broadband, heating)				£6 per week	£24.00
01/07/2021		July Home Office Allowance (electricity, broadband, heating)				£6 per week	£24.00
24/06/2021	Longford	Meet allotment tenant	8				£3.60
07/06/2021	Longford	Display audit notice	8				£3.60
21/06/2021	Longford	Cllr induction	8				£3.60
21/06/2021	Longford	Cheque signing - June	8				£3.60
29/06/2021	Longford	Notices	8				£3.60
<b>TOTAL</b>							<b>£66.00</b>

**I certify that:**

- (a) Where I have used the above motor vehicle(s) on official business my policy of motor insurance indemnifies the employer against any third party claims arising out of use of that vehicle.
- (b) The particulars in this claim are correct and I have incurred expenditure additional to that which I would normally have incurred. I attach receipts where applicable.
- (c) I understand that the mileage allowance is at the current Local Government mileage allowance rate.

Signed (Claimant)..... Date.....

Signed (Chair/Vice-Chair)..... Date.....

# **MODEL STANDING ORDERS 2018 (ENGLAND)**

**Reviewed by Longford Parish Council 1<sup>st</sup> June 2021**

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## **INTRODUCTION**

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

## **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 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 his 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.
- 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 his 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 his 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 (10) 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**

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 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.**
- 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 (15) 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 (5) 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 his hand when requesting to speak.
  - j A person who speaks at a meeting shall direct his 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.
  - 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 Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
  - 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.**
  - 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 chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his**

**casting vote whether or not he gave an original vote.**

*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman 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 his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall 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.
- 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 his 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 (2.5) 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 (3) 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 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 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 his 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 his 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 (3) days of having been requested to do so by (2) members of the committee [or the sub-committee], any (2) 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 (2) 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 (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 (3) 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**

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 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 his 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 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 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.
- 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 Borough 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 engage a locum clerk 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 Borough 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 (3) days before the meeting confirming his 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 his 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 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 his 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 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 and 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 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 £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services 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 £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 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 A matter personal to a member of staff that is being considered by a meeting of Council OR the staffing committee is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Council.
- c The Staffing Committee/Working Group shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk/RFO. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Council.
- d 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 chairman of Staffing Committee/Working Group or in their absence, the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Staffing Committee/Working Group.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk/RFO that relates to the chairman or vice-chairman of Staffing Committee/Working Group, this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of Council.
- f 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.

- g 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 £25,000]* **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 his 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.**

24. **COMMUNICATING WITH BOROUGH 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 Borough 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 Borough 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 (2) 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.

# **LONGFORD PARISH COUNCIL**

## **FINANCIAL REGULATIONS 2019**

**Adopted by Longford Parish Council at the meeting on 13 May 2019**

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## **FINANCIAL REGULATIONS**

### **1. GENERAL**

- 1.1. These financial regulations govern the conduct of financial management by the LONGFORD parish council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
  - ) for the timely production of accounts;
  - ) that provide for the safe and efficient safeguarding of public money;
  - ) to prevent and detect inaccuracy and fraud; and
  - ) identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. A deliberate or willful breach of these Regulations by an employee may give rise to disciplinary procedure.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly.

- 1.9. The RFO;
- ) acts under the policy direction of the council;
  - ) administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - ) determines on behalf of the council its accounting records and accounting control systems;
  - ) ensures the accounting control systems are observed;
  - ) maintains the accounting records of the council up to date in accordance with proper practices;
  - ) assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
  - ) produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit (England) Regulations.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- ) entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
  - ) a record of the assets and liabilities of the council; and
  - ) wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- ) procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
  - ) procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;

- ) identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
  - ) procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
  - ) measures to ensure that risk is properly managed.
- 1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- ) setting the final budget or the precept (Council Tax Requirement);
  - ) approving accounting statements and an annual governance statement;
  - ) borrowing;
  - ) writing off bad debts;
  - ) declaring eligibility for the power of well-being; and
  - ) addressing recommendations in any report from the internal or external auditors,
- shall be a matter for the full council only.
- 1.14. In addition the council must:
- ) determine and keep under regular review the bank mandate for all council bank accounts;
  - ) approve any grant or a single commitment in excess of £500; and
  - ) in respect of the annual salary for any employee conduct an annual review each year and determine the level of salary in accordance with the NALC pay scales.
- 1.15. In these financial regulations, references to the Accounts and Audit Regulations or ‘the regulations’ shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.
- In these financial regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for Local Councils– a Practitioners’ Guide (England)* issued by the Joint Practitioners Advisory Group.

## **2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)**

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate Guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman or Vice-Chairman shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
  - ) be competent and independent of the financial operations of the council;
  - ) report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
  - ) to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - ) have no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:

- J perform any operational duties for the council;
  - J initiate or approve accounting transactions; or
  - J direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms ‘independent’ and ‘independence’ shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors’ rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

### **3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING**

- 3.1. The Finance Working Group shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of November each year including any proposals for revising the forecast.
- 3.2. The RFO must each year, by no later than November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Finance Working Group for recommendation to the council.
- 3.3. The council shall consider annual budget proposals in relation to the council’s three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of December each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget and written confirmation of the precept amount requested of T.B.C.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

#### **4. BUDGETARY CONTROL AND AUTHORITY TO SPEND**

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £500;
- the RFO, in conjunction with Chairman of Council for any items below £500.

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the RFO, and where necessary also by the Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the council.

4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the RFO and the Chairman of Council. The RFO will inform the Finance Working Party and the council of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of council services, the RFO, after consultation with at least two councillors, one of whom would normally be the Chairman or Vice-Chairman, may authorise revenue expenditure on behalf of the council which in the RFO's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,000. The RFO shall report such action to the Chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

- 4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be whichever is the greater of £200 or 15% of each budget head.
- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

## **5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS**

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialed by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council Meeting.
- 5.5. The RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
  - a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the RFO

certifies that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council;

- b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or
  - c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.6. For each financial year the RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively, Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which the council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8. Not Used.
- 5.9. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.10. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

## **6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS**

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council or, if so delegated, the RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of Council.

- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council, and countersigned by the RFO, in accordance with a resolution instructing that payment. If a member who is also a bank signatory has declared a disclosable pecuniary interest, or has any other interest, in the matter in respect of which the payment is being made, that Councillor shall be required to consider Standing Orders, and thereby determine whether it is appropriate and / or permissible to be a signatory to the transaction in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
  - 6.5.1 Electronic payments to be drawn on the bank account in accordance with the schedule as presented to the council or committee, shall be approved in accordance with a resolution instructing that payment, as opposed to the required two signatories required for cheque payment, as stipulated in clause 6.4.
- 6.6. Cheques, orders for payment or electronic payments shall not normally be presented for signature or authorization other than at a council meeting (including immediately before or after such a meeting). Any signatures or authorisations obtained away from such meetings shall be reported to the council at the next convenient meeting.
- 6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the council at least every two years.
- 6.8. If thought appropriate by the council, payment for certain items (principally Salaries) may be made by Banker's Standing Order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a Banker's Standing Order shall be renewed by resolution of the council at least every two years.
- 6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.
- 6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be

made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

- 6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The Bank Mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the RFO and a member. A programme of regular checks of standing data with suppliers will be followed.
- 6.18. Not Used.
- 6.19. Not Used.
- 6.20. Not Used.
- 6.21. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the RFO (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

## **7. PAYMENT OF SALARIES**

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the council.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
  - a) by any councillor who can demonstrate a need to know;
  - b) by the internal auditor;
  - c) by the external auditor; or
  - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. A personal performance management system should be maintained for employees.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff the council must consider a full business case.

## **8. LOANS AND INVESTMENTS**

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for Borrowing

Approval, and subsequent arrangements for the Loan shall only be approved by full council.

- 8.2. Any financial arrangement which does not require formal Borrowing Approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. The council will arrange with the council's Banks and Investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the RFO.
- 8.4. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with council policy.
- 8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.6. All investments of money under the control of the council shall be in the name of the council.
- 8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

## **9. INCOME**

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the Clerk.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.

- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).

## **10. ORDERS FOR WORK, GOODS AND SERVICES**

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11 (I) below.
- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

## **11. CONTRACTS**

- 11.1. Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
  - i. for the supply of gas, electricity, water, sewerage and telephone services;
  - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
  - v. for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the RFO shall act after consultation with the Chairman and Vice Chairman of council); and
  - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations<sup>1</sup>.
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>2</sup>.
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

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<sup>1</sup> The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

<sup>2</sup> Thresholds currently applicable are:

a) For public supply and public service contracts 209,000 Euros (£181,302)

b) For public works contracts 5,225,000 Euros (£4,551,413)

- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g. Any invitation to tender issued under this regulation shall be subject to Standing Order 18d and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £500 the RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j. Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

## **12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS**

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

## **13. STORES AND EQUIPMENT**

- 13.1 The Clerk shall be responsible for the care and custody of stores and equipment.
- 13.2 Goods must be checked as to order and quality at the time that delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.

- 13.4 The Clerk shall be responsible for periodic checks of stocks and stores, at least annually

#### **14. ASSETS, PROPERTIES AND ESTATES**

- 14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law, In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 14.5. Subject only to the limit set in Reg. 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council with a full business case.
- 14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

#### **15. INSURANCE**

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 15.2. Not Used.

- 15.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 15.4. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 15.5. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council.

## **16. CHARITIES**

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

## **17. RISK MANAGEMENT**

- 17.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.
- 17.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

## **18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 18.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations
- 18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

**LONGFORD PARISH COUNCIL**  
**Code of Conduct**  
**(to be) Adopted by the council 1<sup>st</sup> June 2021**

**Introduction**

Pursuant to section 27 of the Localism Act 2011, Longford Parish Council Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

**Definitions**

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

## **Member obligations**

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

## ***Registration of interests***

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
8. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.
9. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if

disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

### ***Declaration of interests at meetings***

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
11. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.
12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
13. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

## **Dispensations**

15. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

## Appendix A

Interests described in the table below.

<b>Subject</b>	<b>Description</b>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.
	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council —
	(a) under which goods or services are to be provided or works are to be executed; and
	(b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge)—
	(a) the landlord is the Council; and
	(b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where—
	(a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and
	(b) either—
	(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or
	(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\*'director' includes a member of the committee of management of an industrial and provident society.

\*'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Appendix B

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
  
- (ii) any body—
  - (a) exercising functions of a public nature;
  - (b) directed to charitable purposes; or
  - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
  
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

ŷ NALC 2012

## Longford Parish Council Risk Register

Risk management is the process whereby local councils methodically address the risks associated with what they do and the services which they provide. The Parish Council should identify potential risks, then take all practical and necessary steps to reduce or eliminate the risks associated with working conditions, workplace activities and environmental factors, as far as is practically possible. This document should enable the Parish Council to assess the risks that it faces and satisfy itself that it has taken adequate steps to minimise them.

**Assessment Scoring: 1 = low; 2 = low/medium; 3 = medium/high; 5 = high**

Activity	Risk	Cause	Effect	Likelihood	Actions
1. Finances	Sudden large expenditure required or excessive under budgeting	Unforeseen problem / Poor budgeting	Service not provided. Lack of confidence in council. Inability to carry out functions. Insufficient funds for contingencies	2 - Low/Med	Council has some reserves. Insurance in place to cover major risks.  Careful budget planning with contingency built in each year
2. Finances	Adequacy of Precept	Precept not submitted to TBC.  Precept not received by Parish Council	No income for parish council to continue its work	1 – Low	RFO to prepare budget, considering expenditure + projects.  Full review of proposed budget by Council in November. Regular review of budget v spend.  RFO to submit precept figure before deadline.  RFO to advise council of receipt of precept at next available meeting.

Activity	Risk	Cause	Effect	Likelihood	Actions
<b>3.Finances</b>	Fraud	Inadequate controls/ record	Loss of funds Financial irregularities	1- Low	<p>Financial Regulations reviewed annually to ensure they are adequate. Annual internal &amp; external audit.</p> <p>Bank balances reported at every meeting with bank reconciliation.</p> <p>Bank balance and expenditure audited by councillor twice a year.</p> <p>Cheques + cheque stubs signed by 2 councillors upon sight of original invoice</p>
<b>4.Finance – VAT</b>	VAT not re-claimed within time limit	Poor accounting	Loss of funds Financial irregularities	2- Low/Med	<p>All VAT receipts to be recorded. Separate column to show VAT Payments on Accounts spreadsheet.</p> <p>RFO to produce refund analysis and make claim to HMRC for recovery of amounts within time scale.</p> <p>All documentation for this process to be maintained in council records</p>
<b>5. Finance - Payroll</b>	Payroll incorrectly processed – staff over/under paid	Staff errors	Loss of funds Financial irregularities	1 - Low	<p>Payroll outsourced to reputable firm to manage on behalf of the parish council.</p>

Activity	Risk	Cause	Effect	Likelihood	Actions
<b>6. Assets</b>	Damage, theft	Vandalism, accident, storms	High cost of repair or replacement. Loss of Assets. Disruption. Damage to public property or person	2 – Low/Med	<p>Maintain up to-date register of assets. Regular maintenance for physical assets and record of inspections. Monthly inspection of defibrillators.</p> <p>Annual review of risk and adequacy of insurance cover.</p> <p>Playground equipment visually checked monthly by Cllrs/Clerk and annually by qualified play inspector.</p> <p>Visual check of trees on regular basis particularly after storms. Qualified arboriculturist to assess condition of trees at least every 3 years more frequent in high risk areas.</p>
<b>7. Contractors</b>	Contractors not supplying services	Unavailable due to illness, poor weather	Poor Services	1 - Low	Contracts are defined. Contracts are informally monitored by Clerk & Councillors. Corrective action taken as required.
<b>8. Insurance</b>	Inadequate Insurance cover for the Council, its employees and assets	Failure to renew insurance policy. Cover on policy inadequate.	Council is uninsured and liable to insurance claim.	2 – Low/Med	An annual review is undertaken of all insurance arrangements in place. Employers Liability, Public Liability and Fidelity Guarantee are a statutory requirement. Officials' Indemnity also in place.
<b>9. Parish Council records and archives</b>	Loss of Parish Council records	Fire, Flood, theft		1 - Low	Archived records stored with Gloucestershire County Council's Archives Office. Any risk to these records is unlikely. Daily files stored in Clerk's home which are at risk, however most are also stored electronically (see next item).

Activity	Risk	Cause	Effect	Likelihood	Actions
<b>10. Electronic Records</b>	Loss of documents on Clerk's computer	Computer crash, fire, theft, flood	Loss of records	2 – Low/Med	<p>All files stored on Microsoft OneDrive which are backed up for 30 days. Anti-virus software installed.</p> <p>Minutes kept as hard copies and copies emailed to all councillors. Minutes &amp; policies held on parish council website</p> <p>Secure passwords to be used on all electronic devices + websites only known by Clerk + Chairman</p>
<b>11. Clerk to the Parish Council</b>	Unavailability	Resignation, illness	Work of the Parish Council cannot be carried out	2 – Low/Med	Urgent work carried out by Councillors. Contact GAPTC about availability of temporary cover or contact local Clerks
<b>12. PC Meetings</b>	Accommodation unavailable for meetings	Damage to meeting room or Village Hall. VH already booked.	Meeting room unavailable	1 - Low	Use nearby village hall or similar amenity
<b>13. Membership of the Parish Council</b>	Vacancies on council	Resignation, retirement, insufficient nomination at elections	Meetings cannot be held due to not being quorate	2 – Low/Med	Ensure council meetings are run smoothly and business is relevant to retain the interest of serving councillors. Promote vacancies widely around the parish especially at election time.
<b>14. Members Interest</b>	Member has not disclosed a Declaration of Interest relating to an agenda item	Conflict of Interest by Member	Resolutions cannot be met due to insufficient number of Cllrs	2 – Low/Med	Standard agenda item for members to declare any personal or prejudicial interests they have + need to disclose of matters to be discussed.

Activity	Risk	Cause	Effect	Likelihood	Actions
<b>15. Safety of Cllrs + Clerk</b>	Physical safety of Cllrs + clerk on site meetings	Inadequate precautions. Accidents due to unsafe ground or buildings	Injury to person and/or compensation claimed from council	2 – Low/Med	At site meetings, all councillors to adhere to any safety requests from site managers. Adequate insurance in place to cover accidents. Councillors to never carry out solo visits, always have clerk or another councillor present.
<b>16. Pandemic</b>	Health of Cllrs + clerk + members of public	Ineffective infection control could cause spread of illness .	Service not provided. Lack of confidence in council. Inability to carry out functions.	2 – Low/Med	Hand sanitizer provided at face-to-face meetings and social distancing protocols in place.

## **Review of Direct Debits and Standing Orders**

### **Annually**

£35    Information Commissioners Office    Processing of personal data

### **Variable quarterly**

Approx £80 per quarter    Water Plus    Water usage at allotments

<b>Meeting date</b>	<b>6<sup>th</sup> July 2021</b>
<b>Agenda number</b>	<b>8.2</b>
<b>Topic</b>	<b>Tree planting request along Fircroft Road</b>

We received a request from a resident to plant trees on the bank next to the brook on Fircroft Road adjacent the turning to Jordans Way. This is land managed by Tewkesbury Borough Council so the request was forwarded to enquire what options were for tree planting.

**Tewkesbury Borough Council responded as follows:**

Thanks for the e-mail with regards planting trees.

1. Anyone doing anything on our land will need a licence if not being carried out by Tewkesbury Borough Council. This gives you the agreement on who is responsible for what and permission and authority to do said works. In this case plant trees and or inspect, maintain etc.
2. I notice a resident has requested this. Is it the Parishes intention to help achieve the residents requests for trees?
3. If its just a residents request then we can consider this. However they need to understand that trees come with risks and ongoing maintenance. I would therefore ask the question of others but believe the answer would most likely be no.
4. If the Parish are requesting this to satisfy the residents then we also may consider. However as above it will depend on who is willing to fund and take liability for trees? For example a licence with the Parish.
- 5.

Please note we also only own the land adjacent Fircroft Road to the watercourse. The other side of the watercourse adjacent the A40 is Gloucestershire Highways.

**Does the Parish Council wish to:**

- a) support the request for trees to be planted in that location?
- b) agree a licence with Tewkesbury Borough Council for the parish council to plant and maintain the trees?



**From:** Friends of Longford Village Hall <lvh.friends@gmail.com>  
**Sent:** 23 June 2021 18:48  
**To:** Clerk - Longford PC  
**Subject:** Update to Meeting LVH 25.05.21

Hi Julie

Further to our LVH meeting last night the following points were noted in regard to the Parish Council points raised at the meeting in which Karen attended on 25.05.21.

**1. First Aid/CPR Course**

If you have a proposed date please we have an anticipated 8 people (but could be more) who are interested to attend. With further information we can also publicise it on the Longford Facebook page and of course our website.

**2. Bike Marking Session**

As above if you have a proposed date and time etc we would be happy to use the hall to facilitate this event. We have a minimum of 6 people but no doubt once advertised there should be a good few more I hope to make it worth while for all involved.

**3. Proposal to run a Joint event - Glider/World War talk**

Again this was received well at our meeting and wonder too if you would like to involve the local Primary School perhaps as maybe a History type lesson for the children of a certain age? This too can be publicised if you can give a date to suit.

With all the above, we would have to add the dates to the online diary before they get booked up?

**In addition to the above, we would also like to ask the PC permission please to hold at least a couple of events on the grass area to start adding to the coffers for the building program to refurbish the hall.**

a. Car Boot - Proposed Date Sat 7th August 21

b. Event TBC - Proposed Date Sat 18th September 21 - This is a fall back in case the field by the new changing rooms behind the Primary school are not available (Think this is Innsworth Parish?)

c. Village Fete - Jubilee Weekend Fri 3rd Preparation for Sat 4th June. This would hopefully be a traditional Village Fete. We hope to be able to use the double bank holiday weekend to bring the community together with all kinds of traditional things of yester year! We hope that we might be able to erect some tentage around the field perimeter and have a small arena for timed events, such as a little Best Dog show, Children's Fancy dress, Perhaps the. Military Wives Choir as an example as well as some sellers etc.

This could be a really good event especially as I see that people are already planning the street parties locally.

Hope to hear from you soon

Kind Regards

# COMMUNITY GOVERNANCE REVIEW OF THE TEWKESBURY BOROUGH

## TERMS OF REFERENCE



### **1. Introduction**

- 1.1 Tewkesbury Borough Council is carrying out a Boroughwide Community Governance Review (CGR) in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007.
- 1.2 The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This guidance has been considered when drawing up these Terms of Reference.

### **2. What is a Community Governance Review?**

- 2.1 A CGR provides an opportunity to put in place strong, clearly defined boundaries, which reflect local identities and facilitate effective and convenient local government. It can take place for the whole or part of the Borough to consider one or more of the following:
  - (a) Creating, merging, altering or abolishing Parishes;
  - (b) The naming of Parishes and the style of new Parishes;
  - (c) The electoral arrangements for Parishes including:
    - the ordinary year of election;
    - the number of Councillors to be elected; and
    - the warding (if any) of the Parish.
  - (d) Grouping Parishes under a common Parish Council or de-grouping Parishes.
- 2.2 The Council is required to ensure that community governance within the area under review will be:
  - (a) reflective of the identities and interests of the community in that area; and
  - (b) effective and convenient.
- 2.3 In doing so, the CGR is required to take into account:
  - (a) The impact of community governance arrangements on community cohesion; and
  - (b) The size, population and boundaries of a local community or Parish.

### **3. Why undertake a Community Governance Review**

- 3.1 Following a review of Tewkesbury Borough Wards by the Local Government Boundary Commission for England, a number of changes were introduced in May 2018 as set out in The Tewkesbury (Electoral Changes) Order 2018. Whilst the Commission did not carry out a review of the Parish or Town Councils in the borough, they did agree some changes which amended the warding arrangements of the Parish/Town Councils of Bishop's Cleeve, Brockworth, Churchdown and Tewkesbury.
- 3.2 As the previous review amended warding arrangements to the four areas referred to in Paragraph 3.1 these are protected under the Local Government and Public Involvement in Health Act 2007. Any proposed changes to these areas require consent from the Local Government Boundary Commission for England before any order implementing the outcome of the CGR can be made. If consent is granted by the Commission, the Council can then request an alteration to deal with any consequential impact on Borough Wards. In relation to consequential changes to Borough Ward boundaries the Commission would wish to see that specific consultation had been undertaken on Ward/Division boundaries as well as the Parish boundaries themselves. The Commission can only accept or reject the requested related alterations. Accordingly, if there are changes to Ward boundaries which are likely to have a significant impact on the electoral equality of the affected Borough Wards, the Commission may not support these.
- 3.3 The Council also wishes to undertake a CGR for the whole of the Borough in response to suggestions made by some Parish/Town Councils and the electorate due to population changes and shifts in 'natural settlements' caused by new development.
- 3.4 Government guidance states that it is good practice to conduct a full CGR at least every 10 to 15 years. The Council therefore wishes to review the community governance of the Borough to ensure that there is clarity and transparency to the areas that Parish Councils represent and that the electoral arrangements of Parishes (the warding arrangements and the allocations of Councillors) are appropriate, equitable and understood by their electorate.

### **4. Who will undertake the Review?**

- 4.1 As the relevant principal authority, Tewkesbury Borough Council is responsible for conducting any CGR within its electoral area. The Executive Committee will oversee the review and produce draft and final recommendations; Council will approve the final recommendations which will be implemented by the making of a Community Governance Order.

- 4.2 The Council will appoint a Community Governance Review Working Group comprising of seven Members to consider representations and propose draft recommendations to the Executive Committee during the review process.

## **5. Areas under Review**

- 5.1 The whole of the Tewkesbury Borough area will be included in the CGR. The review will not automatically mean there will be changes but will examine whether there is a case for change. The Council is not seeking a particular solution at this stage. It wishes to test views and assess what solutions are the right ones to pursue with each individual Parish.

## **6. Scope of Review and Factors to be Considered**

- 6.1 The scope of the review will include: -
- the creation of a Parish.
  - the name of a Parish.
  - the establishment of a separate Parish Council for an existing Parish.
  - the alteration of boundaries of existing Parishes.
  - the abolition of a Parish.
  - the dissolution of a Parish Council.
  - changes to the electoral arrangements of a Parish Council.
  - whether a Parish should be grouped under a common Parish Council or de-grouped.
- 6.2 The following factors will be considered as part of assessing proposals within the scope of the review: -
- a strong, inclusive community and voluntary sector.
  - a sense of civic values, responsibility and pride.
  - a sense of place – a place with a ‘positive’ feeling for people and local distinctiveness.
  - reflective of the identities and interests of the community in that area.
  - effective and convenient.
  - the impact of community governance arrangements on community cohesion.
  - the size, population and boundaries of a local community or Parish.
  - people from different backgrounds having similar life opportunities.
  - people knowing their rights and responsibilities.

## **7. Consultation**

- 7.1 The Council is required to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account. The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at all stages of the consultation.

- 7.2 Before making any recommendations or publishing final proposals, a full consultation process will form part of the review to take full account of the views of local people and other stakeholders. The Council will comply with the statutory consultative requirements by:
- (a) consulting local government electors for the area under review.
  - (b) consulting any other person or body (including a local authority) which appears to the Council to have an interest in the review.
  - (c) notifying and consulting Gloucestershire County Council.
  - (d) taking into account any representations received in connection with the review.
- 7.3 The Council will publicise the review by displaying a notice at the Council Offices and on the Council's website. The Council will also write to all Parish Councils or any other community or resident groups of which the Council is aware, the Gloucestershire Association of Local Councils, Borough Councillors and the relevant County Councillors, the MP's and Gloucestershire County Council.
- 7.4 Information about each stage of the review will be published on the Council's website with key documents available at:

Tewkesbury Borough Council Offices, Gloucester Road, Tewkesbury, Glos, GL20 5TT

Viewing of key documents at the Council Offices will need to take place by appointment only, as the Offices are currently closed due to the coronavirus pandemic. However, should all restrictions be lifted, the documents will be available to view in the Council's reception area.

## 8. Indicative timetable for the Community Governance Review

8.1

Details	Dates
Commencement of CGR – Terms of Reference published	15 June 2021
Initial consultation stage	15 June 2021 – 15 September 2021
Draft recommendations prepared	October 2021 – November 2021
Draft recommendations published	December 2021
Consultation on draft recommendations	December 2021 – February 2022
Final recommendations prepared	March 2022 – April 2022
Final Recommendations considered and approved by Council	May 2022
Community Governance Order(s) made	August 2022
New community governance arrangements come into force	May 2023 local council elections

- 8.2 Any Community Governance Order made following a CGR should, for administrative and financial reasons (for example setting up a new Parish Council and arranging for its first precept) take effect on 1 April following the date on which the Order is made. Electoral arrangements will come into force at the first elections to any new Parish Council following the making of the Order.

## **9. Electorate Forecasts**

- 9.1 Existing Parish Ward electorate figures have been calculated from the June 2021 electoral register (see Appendix 1).
- 9.2 When the Council considers electoral arrangements for the Parish Councils in its area, it is required to consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the Review starts.
- 9.3 Electorate forecasts have been prepared using Planning Policy housing trajectory on known developments and the current Office for National Statistics average household size in the UK of 2.4, to produce five-year forecasts (see Appendix 1).

## **10. The present structure of Parish Councils and their electoral arrangements**

- 10.1 As well as electorate information, the following is also included in Appendix 1:
- (a) Type of governance; e.g. Parish/Town Council, joint Council or Parish meeting.
  - (b) Current number of Parish Councillors.
  - (c) Ratio of current Councillors to electorate.
  - (d) Borough Ward.
  - (e) County Division.
  - (f) Current Parliamentary Constituency.

## **11. Consequential Matters**

- 11.1 When the required consultation has been undertaken, and the review completed, the Council may make an Order to bring into effect any decision that it may make taking account of the role of the Local Government Boundary Commission for England as set out in paragraph 3.2 above. If the Council decides to take no action, then it will not be necessary to make an Order.

- 11.2 If an Order is made it may be necessary to cover certain consequential matters in that Order. These may include:
- (a) the transfer and management or custody of any property.
  - (b) the setting of a precept (Council tax levy) for the new Parish Council.
  - (c) provision with respect to the transfer of any functions, property, rights and liabilities.
  - (d) provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- 11.3 The Council will also take into account the requirements of the Local Government Finance (New Parishes) Regulations 2008 when calculating the budget requirement of any new Parish Councils when setting the Council tax levy to be charged.

## **12. Representations**

- 12.1 Tewkesbury Borough Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the Review.
- 12.2 Representations may be made in the following ways:

By Email:     [elections@tewkesbury.gov.uk](mailto:elections@tewkesbury.gov.uk)

By post:     Electoral Services (CGR)  
Tewkesbury Borough Council  
Council Offices  
Gloucester Road  
Tewkesbury  
Glos  
GL20 5TT

## **Appendix 1**

Parish and town council information and electorate

Area	Parish Council/Meeting name	Parish Wards	No. of Seats	Polling Districts	Borough Ward	County Council Division	Parliamentary Constituency	1 June 2021 electorate	Ratio of Electors per Cllr	5 Year Forecast - Electorate	Forecast Ratio of Electors per Cllr (approx.)
Alderton	Alderton Parish Council	N/A	7	ALD	Winchcombe	Winchcombe & Woodmancote	Tewkesbury	709	101		
Ashchurch Rural	Ashchurch Rural Parish Council	2		ARL1/ARL2/ARL3	Isbourne	Tewkesbury East	Tewkesbury	1151	164	979	140
		Ashchurch Rural Ward	6	ARL1/ARL3	Isbourne	Tewkesbury East	Tewkesbury	861 (ARL1) 255 (ARL3)	186		
		Walton Cardiff Ward	1	ARL2	Isbourne	Tewkesbury East	Tewkesbury	35	35		
Ashleworth	Ashleworth Parish Council	N/A	5	ALW	Highnam with Haw Bridge	Highnam	Forest of Dean	486	97		
Badgeworth	Badgeworth Parish Council	2		BBG/BBN	Badgeworth	Brockworth	Tewkesbury	1459	162		
		Badgeworth Ward	5	BBG	Badgeworth	Brockworth	Tewkesbury	898	180		
		Bentham Ward	4	BBN	Badgeworth	Brockworth	Tewkesbury	561	140		
Bishops Cleeve	Bishops Cleeve Parish Council	3		BCG/BCG1/BCM1/BCM2/BCW1/BCW2/BCW3/BCW4	Cleeve Grange/Cleeve St Michael's/ Cleeve West	Bishops Cleeve	Tewkesbury	10550	527	737	37
		Cleeve Grange Ward	4	BCG/BCG1	Cleeve Grange	Bishops Cleeve	Tewkesbury	2095	524		
		Cleeve St Michaels Ward	8	BCM1/BCM2	Cleeve St Michaels	Bishops Cleeve	Tewkesbury	4292	536		
		Cleeve West Ward	8	BCW1/BCW2/BCW3/BCW4	Cleeve West	Bishops Cleeve	Tewkesbury	4163	520		
Boddington	Boddington Parish Council	N/A	5	BDD	Severn Vale South	Highnam	Tewkesbury	227	45		
Brockworth	Brockworth Parish Council	2		BRE1/BRE2/BRE3/BRW1/BRW2	Brockworth East/Brockworth West	Brockworth	Tewkesbury	6637	390	1690	99
		Brockworth East Ward	9	BRE1/BRE2/BRE3	Brockworth East	Brockworth	Tewkesbury	2754	306		
		Brockworth West Ward	8	BRW1/BRW2	Brockworth West	Brockworth	Tewkesbury	3883	485		
Buckland	Buckland Parish Council	N/A	5	BCD	Isbourne	Winchcombe & Woodmancote	Tewkesbury	188	38		

Chaceley	Chaceley Parish Council	N/A	5	CHY	Highnam with Haw Bridge	Highnam	Forest of Dean	105	21		
Churchdown	Churchdown Parish Council	2		CHB/CHJ1/CHJ2/CHJ3/CHJ4	Churchdown Brookfield with Hucclecote/Churchdown St Johns	Churchdown	Tewkesbury	8473	424	600	30
		Churchdown Brookfield Ward	7	CHB	Churchdown Brookfield with Hucclecote	Churchdown	Tewkesbury	2934	419		
		Churchdown St Johns Ward	13	CHJ1/CHJ2/CHJ3/CHJ4	Churchdown St Johns	Churchdown	Tewkesbury	5539	426		
Deerhurst	Deerhurst Parish Council	N/A	7	DRH	Severn Vale North	Highnam	Tewkesbury	784	112		
Down Hatherley	Down Hatherley Parish Council	N/A	5	DHY	Severn Vale South	Highnam	Tewkesbury	364	73		
Dumbleton	Dumbleton Parish Council	N/A	7	DMB1/DMB2	Isbourne	Winchcombe & Woodmancote	Tewkesbury	495	71		
Elmstone Hardwicke	Elmstone Hardwicke Parish Council	N/A	5	ELH	Severn Vale North	Highnam	Tewkesbury	203	41		
Forthampton	Forthampton Parish Council	N/A	5	FTH	Highnam with Haw Bridge	Highnam	Forest of Dean	121	24		
Gotherington	Gotherington Parish Council	N/A	9	GTH	Cleeve Hill	Bishops Cleeve	Tewkesbury	907	101		
Great Witcombe	Great Witcombe Parish Meeting	0		GRW	Badgeworth	Brockworth	Tewkesbury	74	N/A		
Gretton	Gretton Parish Council	N/A	5	GRT	Winchcombe	Winchcombe & Woodmancote	Tewkesbury	416	83		
Hasfield	Hasfield Parish Meeting	0		HSF	Highnam with Haw Bridge	Highnam	Forest of Dean	108	N/A		
Hawling	Hawling Parish Meeting	0		HWG	Winchcombe	Winchcombe & Woodmancote	Tewkesbury	118	N/A		
Highnam	Highnam Parish Council	N/A	9	HGM	Highnam with Haw Bridge	Highnam	Forest of Dean	1694	188		
Hucclecote	Hucclecote Parish Council	N/A	9	HCC1/HCC2	Churchdown Brookfield with Hucclecote	Brockworth	Tewkesbury	2180	242		
Innsworth	Innsworth Parish Council	N/A	9	INS	Innsworth	Highnam	Tewkesbury	1974	219	1147	127
Leigh	Leigh Parish Council	N/A	5	LGH	Severn Vale North	Highnam	Tewkesbury	240	48		
Longford	Longford Parish Council	N/A	9	LNG	Innsworth	Highnam	Tewkesbury	1401	156		
Maisemore	Maisemore Parish Council	N/A	5	MSM	Highnam with Haw Bridge	Highnam	Forest of Dean	442	88	36	7
Minsterworth	Minsterworth Parish Council	N/A	7	MST	Highnam with Haw Bridge	Highnam	Forest of Dean	371	53		
Northway	Northway Parish Council	N/A	13	NOR1/NOR2	Northway	Tewkesbury East	Tewkesbury	3702	285		
Norton	Norton Parish Council	N/A	5	NRT	Severn Vale South	Highnam	Tewkesbury	454	91		

Oxenton	Oxenton Parish Meeting	0		OXT	Isbourne	Bishops Cleeve	Tewkesbury	188	N/A		
Prescott	Prescott Parish Meeting	0		PRS	Winchcombe	Winchcombe & Woodmancote	Tewkesbury	84	N/A		
Sandhurst	Sandhurst Parish Council	N/A	5	SND	Severn Vale South	Highnam	Tewkesbury	421	84		
Shurdington	Shurdington Parish Council	N/A	9	SHD	Shurdington	Brockworth	Tewkesbury	1877	208	401	45
Snowhill	Snowhill Parish Meeting	0		SNH	Isbourne	Winchcombe & Woodmancote	Tewkesbury	130	N/A		
Southam	Southam Parish Council	N/A	7	STH1/STH2	Cleeve Hill	Winchcombe & Woodmancote	Tewkesbury	864	123		
Stanton	Stanton Parish Council	N/A	5	STN	Isbourne	Winchcombe & Woodmancote	Tewkesbury	172	34		
Stanway	Stanway Parish Council	N/A	7	STW	Isbourne	Winchcombe & Woodmancote	Tewkesbury	281	40		
Staverton	Staverton Parish Council	N/A	7	STV	Badgeworth	Highnam	Tewkesbury	538	77		
Stoke Orchard & Tredington	Stoke Orchard & Tredington Parish Council	N/A	7	STO	Severn Vale North	Bishops Cleeve	Tewkesbury	763	109		
Sudeley	Sudeley Parish Meeting	0		SDY	Winchcombe	Winchcombe & Woodmancote	Tewkesbury	75	N/A		
Teddington	Teddington Parish Council	N/A	5	TED	Isbourne	Tewkesbury East	Tewkesbury	341	68		
Tewkesbury	Tewkesbury Town Council	3		TTN/TNT1/TNT2/TNT3/THS1/THS2/THS3	Tewkesbury East/Tewkesbury North & Twyning/Tewkesbury South	Tewkesbury/Tewkesbury East	Tewkesbury	8399	525		
		Tewkesbury Newtown Ward	3	TTN	Tewkesbury East	Tewkesbury East	Tewkesbury	1523	508		
		Tewkesbury North Ward	5	TNT1/TNT2/TNT3	Tewkesbury North & Twyning	Tewkesbury	Tewkesbury	2693	539		
		Tewkesbury South Ward	8	THS1/THS2/THS3	Tewkesbury South	Tewkesbury	Tewkesbury	4183	523		
Tirley	Tirley Parish Council	N/A	5	TRL	Highnam with Haw Bridge	Highnam	Forest of Dean	342	68		
Toddington	Toddington Parish Council	N/A	5	TOD	Isbourne	Winchcombe & Woodmancote	Tewkesbury	403	81		
Twigworth	Twigworth Parish Council	N/A	5	TWG	Innsworth	Highnam	Tewkesbury	341	68	730	146
Twyning	Twyning Parish Council	N/A	9	TWY	Tewkesbury North & Twyning	Tewkesbury	Tewkesbury	1533	170		
Uckington	Uckington Parish Council	N/A	5	UCK	Severn Vale South	Highnam	Tewkesbury	471	94		
Wheatpieces	Wheatpieces Parish Council	N/A	11	WTC	Tewkesbury East	Tewkesbury East	Tewkesbury	2666	242		
Winchcombe	Winchcombe Town Council	N/A	13	WNC1/WNC2	Winchcombe	Winchcombe & Woodmancote	Tewkesbury	4098	315		

Woodmancote	Woodmancote Parish Council	N/A	10	WDM	Cleeve Hill	Winchcombe & Woodmancote	Tewkesbury	2280	228		
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