

22/2104

PARISH COUNCIL GENERAL MEETING Venue: Parish Meeting Room 17th October 2022 19:15 Minutes

Present: Cllr Alan Youel (Chairman) Cllr Kristian Burgess (Vice Chair) Cllr Mark Allen Cllr Edward Jerrams Coughtrey Cllr Ruth Hoose Cllr Alison Knight Cllr Kay Stevens Cllr Rachel Washer Parish Clerk / RFO

22/1162 Apologies for absence

Apologies received from Cllr Solesbury-Timms, Cllr Truman On the proposal of Cllr Allen, it was **RESOLVED:** to approve apologies for absence.

22/1163 OPEN MEETING

A representation was made on 22/1196, grant allocation protocols, whether any changes were to be made.

A representation was made on items 22/1166, 22/1167 regarding new committees and scope of responsibilities. Previous item 22/1148 Cheney Chatter was also raised by the member of the public.

Open meeting closed 19:22

22/1164 Members' declaration of interest in items on the agenda

None declared.

22/1165 Approval of minutes of meeting 26/09/2022

On the proposition of Cllr Hoose, it was **RESOLVED**: To approve the minutes of the meeting of Council on Monday 26th September 2022.

22/1166 Approval of Committee terms of reference

On the proposition of Cllr Knight, it was **RESOLVED:** to approve the committee terms of reference (pending adjustment of phrasing in Amenities ToR "appoint advisors" to exclude any direct financial undertaking on this item). To defer approval of Task & Finish group ToR until next meeting.

22/1167 Assign members to committees

Members assigned themselves to the following committees:

- Planning & Highways Cllr Burgess, Cllr Allen
- Finance & Policy Cllr Allen, Cllr Youel, Cllr Hoose, Cllr Jerrams Coughtrey
- Amenities Cllr Knight, Cllr Burgess, Cllr Stevens, Cllr Hoose

22/1168 Vote committee chairs

On the proposition of Cllr Hoose (for Planning&Highways, Finance&Policy) and Cllr Stevens (Amenities), it was **RESOLVED**: To vote chairs to the following committees:

Planning & Highways –
 Cllr Burgess
 Gllr Allen
 Finance & Policy –
 Cllr Knight

22/1169 Clerk subscriptions

On the proposition of Cllr Jerrams Coughtrey, it was **RESOLVED**: To approve SLCC subscription. On the proposition of the Chairman, it was **RESOLVED**: To approve Parish Online subscription.

22/1170 Stagecoach 500, Correspondence draft

On the proposition of the Chairman, it was **RESOLVED**: To approve correspondence to Stagecoach, pending inclusion of response request of 14 days. To be sent on Parish Council's behalf from the Chairman.

22/1171 S106 Agreement Thenford Road

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On the proposition of the Chairman, it was **RESOLVED**: To explore costs of maintaining play areas / open spaces over the previous 5 year period to calculate likely costs for comparison of commuted sum offered.

22/1172 Millers Way open space

On the proposition of the Chairman, it was **RESOLVED**: To explore costs of maintaining open spaces over the previous 5 year period to calculate likely costs for comparison of commuted sum offered, including considerations by current contractors where possible.

22/1173 Planning – letters, decisions and applications

Resolved: Queens Street – Material objection to be submitted online.

Roval Oak Lane - no comments to submit.

Land off Waters Lane - no comments to submit.

Main Road - no comments to submit.

22/1174 Astrop road board

On the proposition of the Chairman, it was **RESOLVED**: To submit request for community board planning permission on residents' behalf.

22/1175 S106 update

22/1176

Members noted clarification on outstanding developer contributions.

Cllr Jerrams Coughtrey left at 20:45 (phonecall. Returned after a few minutes). Maintenance person

On the proposition of the Cllr Knight, it was RESOLVED: To defer agenda item to next meeting once further information had been gathered.

22/1177 **PFA restricted public access**

On the proposition of the Chairman, it was **RESOLVED**: Cllr Burgess to relay that the council has no specific objections to the restriction on public access to Astrop park and playing field at night.

22/1178 Internal Control

On the proposition of the Chairman, it was **RESOLVED**: The Clerk to be supported to ensure ICC is brought up to standard. Cllr Burgess to supply cemetery documents.

A member of the public interrupted the meeting, the Chairman continued to the next agenda item. 22/1179 **Tree maintenance**

On the proposition of the Chairman, it was **RESOLVED**: To approve quote for cemetery works. By majority, on the proposition of the Cllr Hoose, it was **RESOLVED**: To undertake works on quote 2 where Highways / others will not likely manage areas before obstruction/overhang etc. exacerbate. Statement to issue on Council actions 'above & beyond' for the benefit of residents, not assuming responsibility.

22/1180 **Events bagpiper**

On the proposition of Cllr Burgess, it was **RESOLVED**: To approve costs of £100 (50:50 Bagpiper/RBL) for national period of mourning events.

22/1181 Online banking, safeguard protocols

A task and finish group, Cllr Burgess, Cllr Knight, Cllr Allen, to create protocol for parish Council online banking and debit card expenditures to report to next meeting.

22/1182 Staff outdoor-working toolkits

On the proposition of Cllr Burgess, it was **RESOLVED**: To approve acquisition of Employees' toolkits x 2 to better support all weather and outdoor working, to achieve best value (clerk's discretion).

22/1183 Flag-flying policy and purchases

On the proposition of Cllr Jerrams Coughtrey, it was **RESOLVED**: To approve and adopt the finalised flagflying policy and purchase of new flags to the value of £31.96.

22/1184 Allotments update

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Members received a verbal update from the assigned Task&Finish group. Ongoing discussions with business landowner to report back next full council meeting.

22/1185 Warm Middleton

Item to be deferred until next full council meeting.

22/1186 Local Government Boundaries Commission response.

On the proposition of Cllr Allen, it was **RESOLVED**: Cllr Hoose to submit response to LGBC on Council's behalf.

22/1187 Resolution to approve Authorisation of Payments

On the proposition of Cllr Jerrams Coughtrey, it was **RESOLVED**: To approve the list of accounts for October. 2 x contract accounts to be investigated further.

22/1188 Remembrance items

Item to be deferred as costings / order process for lamppost poppies unknown.

22/1189 Commemorative trees Item to be deferred until next full council meeting.

22/1190 Speed Restrictions Item to be deferred until next full council meeting.

22/1191 King's Coronation 6th May Item to be deferred until next full council meeting.

22/1192 Christmas lights

Task & Finish group, Cllr Burgess, Cllr Hoose, Cllr Jerrams Coughtrey, to meet this week to explore Christmas light decorations and celebrations.

10:16pm

22/1193 Street lighting Item to be deferred until next full council meeting.

22/1194 Midway garages Item to be deferred until next full council meeting.

22/1195 VAS update

Item to be deferred until next full council meeting.

22/1196 Grant allocation protocol Item to be deferred until next full council meeting.

22/1197 Matters for information None

22/1198 Exclusion of press and public Item to be deferred until next full council meeting.

22/1199 Amenities. Item to be deferred until next full council meeting.

22/1200 Next meeting

21st November 2022 – Full Council Meeting.

Meeting closed 10:16pm **Signned:**

Middleton Cheney Parish Council Terms of Reference Working Groups Adopted by Full Council – Draft

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WORKING GROUPS

The Parish Council as the parent body, or committees with delegated powers, can form a Working Group to carry out specific detailed tasks on any matter that falls within its powers.

Full Council may form or disband a Working Party who will carry out tasks as defined by Full Council. Specific Terms of Reference, including if necessary delegated powers, will be prepared by the Clerk for ratification at the next Full Council Meeting following the Working Party being established. 1. Membership

Members of the working party will be appointed by the Parish Council, or committee with delegated powers, and will consist of a minimum of 3 elected members of the council unless otherwise specified.

With the authority of the Full Council the working group can co-opt members of the public (Lay members) who have specific knowledge / expertise on the subject to assist the Working Group.

The Term of Membership for a working group will be for a period of one year or to the next Annual meeting of the Full Council or time limited for a period of 6 months.

The Annual Meeting of the Council can re-confirm the working group's membership and terms of reference or appoint other elected members to serve for the forthcoming civic year.

2. Leader

A leader will be appointed for the working party by the Parish Council.

The leader will be the main point of contact for the Clerk to Council, Council members and members of the public, and must be an elected member of the Council unless otherwise agreed by the Full Council. 3. Powers

Working Groups cannot make decisions on behalf of the Parish Council, and any recommendations made by working parties will be subject to approval by the Full Council.

4. Responsibilities and Areas of Operation

The Full Council will establish the role of the working group and its full terms of reference. This may include:

- 1. To tackle issues as directed by the Council.
- 2. To be task specific and time limited.
- 3. To examine an issue in detail, read reports and related materials, examine options, and obtain advice for the Council.
- 4. To act as experts and/or liaise with experts.
- 5. To make recommendations to Council.
- 6. To explain the recommendations, reasons, options to Full Council by way of a written report.
- 7. To answer questions from the Council.
- 8. No funding or monies to be spent or committed without delegated authority or prior Full Council endorsement. The working group will arrange its own meetings and schedule of work at its inaugural meeting.

The leader of the working group, if unable to attend a meeting of the Full Council, will nominate another member of the working party to attend and deliver the progress report.

5. Meetings of Working Groups

A Working Party does not meet in public, therefore Standing Orders are not applicable, although the Code of Conduct still applies to any councillor who is a member of the working party.

Formal agendas and Minutes are not required. The Clerk to the Council will be notified of any meeting with at least 3 working days' notice.

The quorum of the group shall be 3 elected members, co-opted members will not count towards the quorum. The working group shall report formally to each meeting of the Council with informal updates to Council members following each meeting.

The working group will report formally to the Full Council at its Annual Meeting if required. Frequency of Meetings will be as required.

The working group is expected to be time limited as specified by Full Council or parent committee. The continuing need for a working group will be reviewed by the Full Council on a 6 monthly basis unless otherwise specified.

GREEN MIDDLETON WORKING GROUP

Background: Cllr Kristian Burgess & Cllr Nina Truman are previously appointed to the working group. This working group is facilitated by the Amenities Committee to advise council on the requirements for village grass cutting provision enabling a tender process. Also, to advise council on options relating to the PC building regeneration project. (Insufficient members)

Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To implement relevant policies of the Parish Council relating to green space in the Parish and, where appropriate, recommend amendments and new policies to the Parish Council;
- 3. To seek views from residents of the Parish regarding their wishes for open space from the Parish Council.
- 4. To assess feasibility of expressed views and to submit proposals to the Parish Council for new or improved resource.

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- 5. To accurately convey relevant information to residents of the Parish regarding the key decisions, proposals and actions of the Parish Council, and the working group;
- 6. To be responsible for dealing with items of correspondence, consultations and projects relating to open spaces in the Parish where this is the responsibility of the working group. This does not include communication from individual residents directed to the clerk of the Parish or communications that fall directly within the role of the clerk of the Parish;
- 7. The Working Group is authorised to appoint advisers as and when necessary to assist in its work and to increase membership of the working group from interested members of the public to a maximum of 5.

PARISH COUNCIL BUILDING WORKING GROUP

Background: Cllr Nina Truman, Cllr Kay Stevens & Cllr Rachel Washer are appointed to the task & finish group. The working group will produce a report, including costings, for the council building outside space regeneration project. Report to be presented to November Full Council meeting. Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To implement policies of the Parish Council where relevant in relation to use of Council property and buildings.
- 3. To assess feasibility of expressed views.
- 4. To investigate the opportunities and costs of the project.
- 5. To undertake costing exercises/quotes for any proposals and make recommendations to the Parish Council;
- 6. The Working Group is authorised to appoint advisers as and when necessary to assist in its work and to increase membership of the working group from interested members of the public to a maximum of 5.

FUTURE RESIDENTIAL DEVELOPMENTS WORKING GROUP

Background: Cllr Kay Stevens, Cllr Mark Allen & Cllr Alan Youel are appointed to the working group. The purpose of the working group to explore potential to use an existing framework or create a new approach to gather resident consensus on development planning. Report to November Full Council Meeting. Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To implement relevant policies of the Parish Council relating to the management of assets in the Parish and, where appropriate, recommend amendments and new policies to the Parish Council;
- 3. To consider information sources for potential development land availability.
- 4. To develop community consultation options.
- 5. To investigate communication strategies.
- 6. To consider WNC strategic development plan in relation to local needs.
- 7. The Working Group is authorised to appoint advisers as and when necessary to assist in its work.

PLANNING OPEN SPACE WORKING GROUP

Background: Cllr Kristian Burgess, Cllr Alison Knight & Cllr Nina Truman are appointed to the task & finish working group. This working group is facilitated by the Planning and Highways Committee and will coordinate views and actions from councillors and members of the community, regarding S106 provision at Thenford Road and Legal obligation S3 at Millers Way. The project group will continue to exist until either the open space land has been adopted by council, or there is a decision by the developer to discharge the responsibility to a management company, or it is ratified by the Parish Council to cease or put on hold the process. The Parish Council will review the terms of reference as necessary and, in any case, if the function and/or status of the project group changes. The group will initially report back to council at October 2022 meeting.

Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To bring together the views of community and council and review.
- 3. To undertake relevant consultation locally, Council wide and nationally to obtain views and increase knowledge of options and requirements.
- 4. To gain outline costs of options.
- 5. Acting under the Planning and Highways Committee, the group will report to the Parish Council their recommendations.
- 6. To manage correspondence related to open spaces.
- 7. To maintain records of action, correspondence and meetings.
- 8. The working group has the authority to recruit members beyond the project group from within the community.

ALLOTMENT WORKING GROUP

Background: Cllr Kristian Burgess, Cllr Ruth Hoose & Cllr Kay Stevens are appointed to the task & finish group. The purpose of the working group is to review current tenant status of council owned allotments, report on BT allotments, and consider future allotment land provision. Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To seek the views of residents of the Parish regarding who may need support, review what is available and identify how the current support may be enhanced.
- 3. To assess the feasibility of expressed views.
- 4. To identify possible land availability for future allotment provision.
- 5. The working group has the authority to recruit members beyond the project group from within the community.

COMMUNITY WARM SPACES WORKING GROUP

Background: Cllr Ruth Hoose, Cllr Alison Knight & Cllr Nina Truman are appointed to the task & finish working group. The purpose of the working group is to consider all aspects of a liaise, advertise, vulnerable people action plan with Library/ good neighbour scheme.

Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. Where appropriate, to liaise with and support the work of the Library and Good Neighbour Scheme.
- 3. The working group has the authority to recruit members beyond the project group from within the community.

PARISH ARCHIVES WORKING GROUP

Background: Cllr Alison Knight, Cllr Ruth Hoose & Cllr Edward Jerrams Coughtrey, are appointed to the task & finish group. The purpose of the working group is to overhaul stored materials and identify suitable items (scrapbooks/photographs) for Library repository. Other items for Northampton archive/Shredding. Group to liaise with clerk on the dates for this.

Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To implement relevant policies of the Parish Council relating to use of land in the Parish and, where appropriate, recommend amendments and new policies to the Parish Council;
- 3. To identify Council documentation requiring archive and relevant time periods.

PARISH MEETING ROOM FACILITIES WORKING GROUP

Background: Cllr Nina Truman & Cllr Kay Stevens, are appointed to the task & finish working group. The purpose of the working group is to consider is to review and discuss kitchen facilities, maintenance, community access and community larder.

Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To implement relevant policies of the Parish Council relating to use of land in the Parish and, where appropriate, recommend amendments and new policies to the Parish Council;
- 3. To assess feasibility of expressed views.
- 4. To undertake costing exercises/quotes for any proposals;
- 5. The Working Group is authorised to appoint advisers as and when necessary to assist in its work and to increase membership of the working group from interested members of the public to a maximum of 5.

COMMEMORATIVE TREES WORKING GROUP

Background: Cllr Kay Stevens, Cllr Nina Truman & Cllr Rachel Washer are appointed to the task & finish group. The purpose of the working group is to explore planting options, and report recommendations to council.

Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To implement relevant policies of the Parish Council relating to use of land in the Parish and, where appropriate, recommend amendments and new policies to the Parish Council;
- 3. To seek views from residents of the Parish regarding potential locations for tree planting.
- 4. To assess feasibility of expressed views.
- 5. To undertake costing exercises/quotes for any proposals to the Amenities Committee and Full Council;
- 6. To be responsible for dealing with items of correspondence and consultations relating to the future use of the Moot Recreation ground where this is the responsibility of the working group;
- 7. The Working Group is authorised to appoint advisers as and when necessary to assist in its work and to increase membership of the working group from interested members of the public to a maximum of 5.

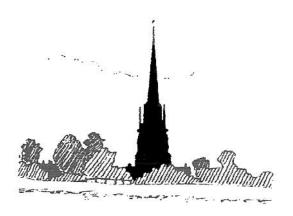
VAS WORKING GROUP

Background: Cllr Kristian Burgess, Cllr Edward Jerrams Coughtrey & Cllr Mark Allen are appointed to the task & finish group. The purpose of the working group is to consider options and future management of the Vehicle Activated Speed Sign, and report to council.

Terms of Group:

- 1. To comply with the Parish Council's Standing Orders on the governance and membership of working groups of the Parish Council;
- 2. To implement relevant policies of the Parish Council relating to use of camera surveillance equipment and, where appropriate, recommend amendments and new policies to the Parish Council;
- 3. To seek views from residents of the Parish regarding potential use of the VAS system.
- 4. To assess feasibility of expressed views.
- 5. To consider suggested potential camera relocation sites.
- 6. To undertake costing exercises/quotes for any proposals.
- 7. The Working Group is authorised to appoint advisers as and when necessary to assist in its work and to increase membership of the working group from interested members of the public to a maximum of 5.

22/2106



Middleton Cheney Parish Council

Scheme of delegation

1. Scope of the policy

1.1 With a few statutory exceptions, only the Full Council is able to make decisions on behalf of the corporate body, *unless* it makes explicit provision to delegate powers to either a committee or officer (or in some cases, another authority). These delegated powers are often enshrined in the Council's key governance documents – its Standing Orders, Financial Regulations, and committee terms of reference – as well as other policies. The purpose of the Scheme of Delegation is to consolidate these delegated powers into one document:

- providing a single point of reference to inform decision-making;
- ensuring that that there is no conflict between different governance documents;
- clarifying lines of accountability;
- and confirming where statutory responsibilities sit.

2. What and who is covered by the policy

2.1 The policy comprehensively covers all aspects of the Council decision-making process, and it is therefore intended as a key reference document for all staff and councillors, particularly: the Parish Council Chairman, Committee Chairs and the Parish Clerk.

2.2 It should also be publicly available and published online to provide those members of the community attending Council meetings with a guide to how the Council makes decisions.

3. Legal framework

3.1 A Scheme of Delegation is considered best practice by the National Association of Local Councils, and is a requirement for Council seeking Quality Award status.

3.2 The Council's statutory power to delegate its functions is laid down in Local Government Act (LGA) 1972 s101. This states that power can be delegated to a committee, sub-committee, or officer of the authority, or to another authority.

3.3 By virtue of the absence of any provision in s101, town and parish councils cannot be delegated to an individual councillor. However, when acting as the chair of a meeting, a councillor has ex officio powers to regulate conduct in the meeting, as discussed below.

3.4 Where powers are delegated to a committee, the primary source of best practice on how they are delegated and exercised is *Knowles on Local Authority Meetings* (McCourt, 8th Edn, 2016), as discussed below. **4.** Full Council

4.1 The following matters are reserved to the Council for decision, notwithstanding that the appropriate committee(s) may make recommendations for the Council's consideration:

- a) Approving the annual budget and setting the precept.
- b) Approving the annual return, and internal audit reports.
- c) Authorising all borrowing.
- d) Adopting and making any amendments to the Standing Orders, Financial Regulations, Scheme of Delegation, or Policy Framework.

- e) Making orders under any statutory powers.
- f) Making, amending, or revoking by-laws.
- g) Establishing committees and determining their terms of reference and membership.
- h) Appointing or co-opting to a committee or sub-committee of a person not a member of the Council or the committee.
- i) Appointing or nominating Council representatives to outside bodies.
- j) Creating, approving, or reviewing a neighbourhood plan.
- k) Declaring eligibility for the General Power of Competence.
- I) Appointing and dismissing the Town Clerk.
- m) The decision to prosecute or defend in a court of law, save where such a prosecution is of a debtor being carried out through the small claims court.
- n) All other matters which must, by law, be reserved for the Full Council.
- o) Approving all expenditure not otherwise delegated to a committee or officers, in accordance with the Schedule of Financial Approval Limits.
- 5. Clerk

5.1 The Town Clerk acts as the Council's **Proper Officer** and **Responsible Finance Officer** (under s.151 LGA 1972), and is responsible for all statutory duties imposed upon these two offices. These include:

- a) Receiving declarations of acceptance of office.
- b) Retaining a copy of every councillor's register of interests.

c) Signing notices or other documents on behalf of the Council (other than legal and financial documents requiring the signatures of members of the Council).

- d) Signing summonses to attend meetings of the Council.
- e) Keeping a proper record for all meetings.
- f) Ensuring the Council meets its obligations in accordance with the Accounts and Audit Regulations in force at the time.
- g) The proper administration of the Council's financial affairs, including ensuring the Council has an adequate and effective system of internal control.
- h) Producing all financial management information, including, completing the annual financial statements of the Council.

5.2 In addition, the Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- a) The day-to-day administration of services, together with routine inspection and control of assets and procedures.
- b) Managing all Council staff, directly or indirectly, including the recruitment to any existing post on a like-for-like basis, where such post is not a member of the Senior Management Team.
- c) Authorising any expenditure delegated in the Schedule of Financial Approval Limits.
- d) Postponing a meeting, or calling an additional meeting of the Council or any committee, as necessary, in consultation with the Mayor of the Council or appropriate committee.
- e) Responding to any correspondence requiring or requesting information, or relating to previous decision of the Council, but not correspondence requiring an opinion to be taken by the Council or its committees.
- f) Managing the provision of Council services, buildings, land, and resources (indirectly where service managers have delegated responsibility), including the temporary closure of any such facilities, as may be required.
- g) Dealing with dispensation requests from members, under the Code of Conduct.
- h) Dealing with all day-to-day staffing and disciplinary matters in line with the disciplinary procedure.
- i) Prosecuting a debtor, where such prosecution is through the small claims process, or approving the write off of any debt up to the value laid down in the Schedule of Financial Approval Limits.
- j) Authorising the issue of all official Council press releases, and editorial control of the Council's website and social media content.
- k) Applying for any grants and other funding on the Council's behalf.
- Disposing of or selling any equipment or consumables, save where the estimated value of any one item of tangible movable property exceeds any amount laid down in the Schedule of Financial Approval Limits.
- m) Renewing any existing leasing or licencing agreements, save where the estimated value exceeds any amount laid down in the Schedule of Financial Approval Limits, or where the lease term exceeds one year.
- n) Agreeing any rent or licence fee increase in accordance with the terms of the agreement, save where any increase exceeds the lesser of 3% above RPI or £5,000. This item notwithstanding, every lease shall be reviewed by the relevant committee no less than every five years.
- o) Entering into negotiations on any matter on behalf of the Council, it being understood that the Clerk shall not be authorized to confirm any agreement without the consent of the Council or relevant committee.
- p) Dealing with such matters as specifically delegated by the Council or committee.
- q) Applying the Council's common seal to a deed required by law, in the presence of two members of the Council.

r) Delegating duties to a subordinate officer, save where such duties are required to be carried out directly by the Proper Officer or Responsible Finance Officer, by statute, or Council direction.

5.3 All delegation of duties is at the discretion of the Council, save where such delegation is required by statute.

6. Council Chairman

- 6.1 No matter may be delegated to the Council Chairman except for the following:
 - a) Convening an extraordinary meeting of the Full Council.
 - b) Receiving the resignation of any member.
 - c) When attending a Full Council meeting, the powers granted to a chair of a meeting.
 - d) Attending a civic function as a representative of the Council, it being understood that the contents of any speeches must not purport to being the view of the Council unless previously agreed.

7.. Chair of a meeting

- 7.1 When a councillor acts in the role of the chair of a meeting, they shall have the power to:
 - a) Convene an extraordinary meeting of the relevant Council or committee.
 - b) Direct the order of speaking.
 - c) Direct any response to a question posed during public participation.
 - d) Permit an individual to be seated whilst speaking.
 - e) Suspend or close a meeting, where a resolution has been made to that effect, or where the meeting is subject to disorderly conduct, in accordance with the Council's Standing Orders
 - f) In the case of an equality of votes on any matter, exercise a casting vote.
 - g) Determine the rules of debate, in accordance with the Council's Standing Orders.
 - h) Determine a point of order.
 - i) Put a motion to the vote.
 - j) Sign the minutes of a previous meeting, once confirmed by a resolution as an accurate record.
 - k) Move that a person be silenced or excluded from the meeting for disorderly conduct.

8. Councillors

8.1 No matter may be delegated to an individual councillor, except that:

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- a) Two councillors may convene an extraordinary meeting of the Council, should the Chair refuse to do so.
- b) The Chair and Vice Chair shall act informally as line managers for the Clerk.
- c) Matters may be delegated to an officer to determine *in consultation* with one or more councillors, it being understood that the officer shall not overrule any reasonable request of that member(s), but that the officer's decision shall be final.
- d) A councillor may arrange or attend a meeting regarding Council business, it being understood that any representations made by the councillor are in their personal capacity, and may not represent the views of the Council.
- e) A councillor may assist in discharging any Council policy or procedure, if it is expressly permitted in the policy, or if prior approval from the relevant person has been obtained.
- f) No councillor may issue an instruction to an officer, but may highlight any issue that they believe requires the attention of the Council. Any issue regarding staff performance may only be raised with the Town Clerk or through the appropriate committee.

9. Committees

9.1 Under the Local Government Act 1972 s101, the Council may appoint committees to undertake any of its functions not described in item 1.1 above.

9.2 Best practice on the constitution of committees states that:

"there should be no more standing committees than are necessary, the membership of the committees should be small, their terms of reference should be clearly specified, and their relationship to the rest of the decision-making structure clearly defined. Each committee should be concerned with matters that can only be dealt with at member level, i.e. there should ordinarily be no involvement in matters of day-to-day administration and operation business that is properly the responsibility of officers." (McCourt, 2016, p.211)

9.3 A committee may not comprise fewer than three voting members (McCourt, 2016, p.226).

9.4 Where any member is deemed an ex officio member of any committee, they are a full member of that committee, unless expressly stated otherwise (McCourt, p.224).

9.5 Any committee established for the controlling of the Council's finances, must be solely comprised of councillors (Local Government Act 1972, s.102).

9.6 On the terms of reference:

"[they] should cover the whole of the council's area of operations, but should be so drawn that one set of terms does not overlap another... most authorities provide for the terms of reference of an appropriate committee to include responsibility for 'any matter not delegate to... any other... committee." (McCourt, 2016, p.227)

9.7 LGA 1972 s.101(2) states that unless otherwise stated, where a power has been delegated to a committee, that committee can arrange for a sub-committee or officer to discharge those powers.

9.8 The terms of reference must also not contradict any provision made in the Council's Standing Orders or Financial Regulations, which shall take precedence where there is any conflict.

9.10 'Standing committees' is a term used to simply to refer to committees set up 'year after year' (McCourt, 2016, p.212) and they have no statutory or special position of authority.

9.11 On the following pages are the terms of reference for each of the Council's four standing committees: *Finance and Policy; Planning and Highways; Amenities; and Staffing.*

9.12 There is concern that where contentious issues are raised, there should be a mechanism for these to be referred to the Full Council. Therefore, a clause has been added to all committee terms of reference, that where an item is delegated to the committee, but a resolution is not passed by at least a two-thirds majority, the item is referred to the Full Council with a recommendation agreed upon by a simple majority.

22/1207

Middleton Cheney Parish Council Debit Card Policy

Statement

In view of the increase in internet purchasing due to the potential savings this offers, and the requirements of maintaining operations, Middleton Cheney Parish Council may authorise the issue of debit cards to employees and councillors for business use. This policy refers only to the issue and use of Council debit cards.

Declaration and Policy

- The Parish Council may issue a Council debit card to an employee and one councillor with authorisation from the Finance & Policy Committee. No other individual may use the debit card.
- The financial limit of the issued debit card shall not exceed the limit set by the issuing bank. Upon being issued a debit card, the employee and councillor shall be advised of their individual financial limit.
- The employee and councillor issued with an individual debit card are solely responsible for the safe keeping and usage of the debit card, and for ensuring that the card is not used by others. PIN numbers will only be issued to the card holder and must be kept confidential, as must the card security (CSC/CVN) number. Forgotten PIN numbers must be reported to the issuing bank immediately. With no exceptions the Finance & Policy Committee Chair must also be informed immediately.
- The card details must not be saved on any device, including laptops, computers, mobile phones, and tablets.
- The card details must not be shared with anyone else, including fellow councillors, with the only exception to this being the Chair of The Finance and Policy Committee, as they will be responsible for handing the cards over to the employee and councillor.
- The employee and councillor to be issued with their debit cards by the Chair of The Finance and Policy Committee, and must sign individual Debit Card Declaration forms, to be witnessed by the Chair of The Finance and Policy Committee, in the presence of an additional councillor.
- Signed Debit Card Declaration forms, paper copies of debit cards and PIN details to be stored securely at the Parish Office, in the fireproof safe.
- Lost or stolen cards must be reported to the issuing bank immediately upon discovery that the card is missing, so that the card's usage can be frozen. With no exceptions the Finance & Policy Committee Chair must also be informed immediately.
- In the event of any employee's termination of employment, or a councillor resigns, the employee or councillor must return any issued debit card to the Finance & Policy Committee Chair immediately, and the card will be destroyed. The issuing bank must be advised immediately so that the card can be cancelled to prevent any unauthorised usage.
- Cash withdrawals are not permitted.
- Every debit card transaction must be recorded by each cardholder on to a central Debit Card Monthly Transaction spreadsheet. Receipts for all purchases must be submitted with the to the Clerk/RFO on the first working day of each month. The spreadsheet and accompanying receipts are checked by the Clerk/RFO. If the Clerk/RFO is a named debit card holder, then the Chair of the Finance & Policy Committee must be the individual to make the checks. The spreadsheet subsequently needs to be signed by two further councillors.

- The cardholder is responsible for obtaining and submitting receipts for all transactions. Failure to produce transaction receipts may result in the cardholder being held liable for the sum of the said transactions.
- The transaction receipts shall be reconciled monthly with the issuing bank statements. In the event of any discrepancy, the Chair of Finance & Policy Committee must be notified, and an investigation initiated. Finance & Policy Committee will decide on what action will be taken.
- If the cardholder misuses the debit card or fraudulently uses the debit card, this will result in appropriate disciplinary action being taken against the cardholder.
- This policy forms an addendum to the Council's Financial Regulations.

Document History

Version	Author	Date	Changes	Status	Minute ref
1.0	A Youel/A Knight	07 11 2022		Draft	

Additional Notes in support of proposed Debit Card Policy

- Currently one debit card issued to Cllr Richard Solesbury Timms, but it would be better practice to have 2 members of the council who each have a debit card one employee and one councillor.
- Cheques are becoming less popular methods of payment; in fact some companies are refusing them.
- Ideally, the cardholders would be two of those who are named on the bank mandate (in this case it is Clerk plus ClIrs Allen, Burgess and Solesbury-Timms) because that would be more convenient, rather than going through the potentially onerous process of completing new paperwork.
- Ideally we would have Clerk as one of the debit cardholders, and this would give her more authority with dealing online/over the phone with the bank, should any queries arise.

Debit Card Declaration Form

Name (please print full name)

I confirm receipt of a debit card for the use of purchases	s relating to Middleton Cheney Parish Council business.
I agree to abide by the terms and conditions as set out i	n the Middleton Cheney Parish Council Debit Card Policy.
Signed	Date
Witnessed by Chair of Finance & Policy Committee (plea	ase print full name)
Signed	Date
In the presence of (please print full name)	
Signed	Date

FINANCIAL REGULATIONS

Clerk: 01295 713500 - Email: clerk@middletoncheney.org.uk

These Financial Regulations were adopted by Council at a Full Council Meeting held on 21st November 2022

1 GENERAL

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

2 ANNUAL ESTIMATES

- 2.1 The Financial Working Party shall submit proposals to Council in respect of revenue and capital costs for the following financial year before the end of October.
- 2.2 Detailed estimates shall be prepared of all receipts and payments for the year by the RFO.
- 2.3 Council shall review estimates not later than the end of December each year and fix the Precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved estimates.
- 2.4 The annual budgets shall form the basis of financial control for the next year.

3 BUDGETARY CONTROL

- 3.1 Expenditure on revenue items can be incurred up to the amounts included in the approved budget.
- 3.2 No expenditure may be incurred which will exceed the amount provided in the revenue budget unless it is referred to the Finance Working Party and ratified by full Council at their next meeting.
- 3.3 The RFO shall regularly provide the Council with a statement of receipts and payments to date comparing actual expenditure against budget.
- 3.4 The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is urgent and must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. This is to avoid any additional charges which may be incurred if there is a delay in authorising the work, and the debit card issued to the Clerk is the preferred form of payment (see Debit Card Policy) The Clerk shall report the action to the Council as soon as practicable thereafter, and no later than the next Full Council meeting.
- 3.5 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.6 All capital works shall be administered in accordance with the Council's Standing Orders and financial regulations relating to contracts.

4 ACCOUNTING AND AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO as required by Accounts and Audit Regulations (England) 20011 and 2006, and any subsequent amendments thereto.
- 4.2 The RFO shall be responsible for completing the annual financial statements of the Council as soon as practicable after the end of the financial year.
- 4.3 The RFO shall be responsible for completing the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and for submitting the Annual Return for approval and authorisation by the Council within the timescale set by the Accounts and Audit Regulations 1996 as amended or set by the Auditor.
- 4.4 The RFO shall be responsible for ensuring that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations 2011, and any subsequent amendments thereto. Any Officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit.
- 4.5 The Council shall carry out a review of the effectiveness of internal audit on an annual basis in accordance with the Accounts and Audit Regulations 2003 and 2006, and any subsequent amendments thereto.
- 4.6 The Internal Auditor shall carry out work required by the RFO and Council, with a view to completion of the Internal Auditor's Report section of the Annual Return. This is required annually by the Audit Commission. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council, in writing, with a minimum of one annual report in respect of each financial year.
- The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by Audit Commission Act 1998 section
 15 and the Accounts and Audit Regulations 2011, and any subsequent amendments thereto.
- 4.8 The RFO shall, as soon as practicable, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5 BANKING ARRANGEMENTS AND PAYMENTS

- 5.1 The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency by the Finance Working Party.
- 5.2 A schedule of payments required, forming part of the Agenda to be prepared by the RFO and, together with the relevant invoices, be presented to Council. If the schedule is in order it shall be authorised by a resolution of the Council and shall be initialled by the Chairman of the Meeting. If more appropriate the detail may be shown in the Minutes of the Meeting.
- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4 shall be signed by two of three members of Council.
- 5.4 Debit card payments made in accordance with 5.2 or 6.4 shall be made in line with the Debit Card Policy

6 PAYMENT OF ACCOUNTS

6.1 All payments shall be by cheque or other order drawn on the Council's bankers.

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

7 PAYMENT OF SALARIES

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

8 LOANS AND INVESTMENTS

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

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 annually, following a report by 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, but not less than once a month.
- 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 (£500) 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 and that appropriate care is taken in the security and safety of individuals banking such cash.

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 is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers.
- 10.4 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11 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 these regulations shall not apply to contracts which relate to items (i) to (vi) below:
 - (i) for the supply of 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 £250 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of Council);
 - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
 - (b) Where it is intended to enter into a contract exceeding £10,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works

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or specialist services as are accepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.

- (c) 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.
- (d) 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.
- (e) 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.
- (f) If less than three tenders are received for contracts above £10,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- (g) When it is to enter into a contract less than £10,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 2 quotations from a list of local contractors for differing types of work held and approved by the Council. Otherwise, Regulation 10 (3) above shall apply.
- (i) When it is to enter into a contract for less than £500, the Clerk shall ensure that all items ordered represent good value for money.
- (j) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

12 STORES AND EQUIPMENT

- 12.1 The RFO shall be responsible for the care and custody of stores and equipment.
- 12.2 Delivery Notes shall be obtained in respect of all goods received or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 12.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 12.4 The RFO shall be responsible for periodic checks of stocks and at least annually.

13 PROPERTIES AND ESTATES

- 13.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Regulation 4(3)(b) of the Accounts and Audit Regulations 1996 as amended.
- 13.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £50.

14 INSURANCE

- 14.1 Following an annual risk assessment, the RFO shall review all insurances and negotiate all claims on the Council's insurers
- 14.2 The Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 14.3 The RFO shall keep a record of all insurances taken out by the Council and the property and risks covered thereby and annually review it.
- 14.4 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.
- 14.5 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

15 CHARITIES

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

16 RISK MANAGEMENT

- 16.1 The Clerk/RFO shall prepare and promote risk management policy statements in respect of all activities of the Council.
- 16.2 When considering any new activity the Clerk/RFO shall prepare draft Risk Management policy for the activity and shall bring a draft addressing the legal and financial liabilities and risk management issues that arise to Council for consideration and, if thought appropriate, adoption.
- 16.3 The Council shall carry out a Financial Risk Assessment on an annual basis in accordance with the Accounts and Audit Regulations 2011, and any subsequent amendments thereto. The minutes shall record such review of the financial risks.

17 REVISION OF FINANCIAL REGULATIONS

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

Signed:

Date:

Clerk/Responsible Financial Officer

Application Number	Closing Date	Location	Proposal	Parish Council Comments
WNS/2022/2043/FUL https://snc.planning- register.co.uk/Planning/Display/WNS/2022/2043/FUL ?cuuid=21BB0CF1-C0D8-46A7- BB1C-F7CB6E913E45		145 Main Road Middleton Cheney OX17 2PP	Detached garage and home office	
WNS/2022/2100/FUL https://snc.planning- register.co.uk/Planning/Display/WNS/2022/2100/FUL?cuui d=D44180FC-7261-4875- 982B-81426DE71D3D	24/11/2022	Coldharbour Farm Thenford Road Middleton Cheney	Construction of an Agricultural Workers dwelling to replace existing temporary workers dwelling and all associated works	
WNS/2022/0978/MAF https://snc.planning- register.co.uk/Planning/Display/WNS/2022/0978/MAF?cuui d=A2CC520F-2130-493EAF69-DFED5853768E	25/11/2022	Land South Of Thenford Road Middleton Cheney	Variation of condition no 2 (Approved Plans and Details) and no 8 (Engineering Drawings) to S/2020/0183/MAF (Erection of 20 no. dwellings) to vary the property types to facilitate the delivery of 100% affordable housing • New description omitting explicit reference to housing mix • Site layout alterations, particularly around Plots 1	

and 2 (parking/turning), the access road through the site, the proximity of certain plots to the road, the orientation of Plots 7, 8, 9, and 10. • House type changes/additions to most plots (design tweaks to elevations/layouts/orientations etc) • Changes to parking/landscaped areas to the front of certain plots (i.e. Plots 7 and 8) • New material distribution plan, including two properties in local stone, and omitting butb brick • New Public Open Space extent plan • Amended Drainage Engineering Appraisal Report • Amended Transport Statement • Amended Transport Statement • Amended Landscape Proposals