



MIDDLETON CHENEY

Parish Council

Parish Meeting Room
Main Road
Middleton Cheney
Banbury
OX17 2LR

PARISH COUNCIL ANNUAL MEETING

Venue: Parish Meeting Room
9th May 2023
MINUTES

Present: Cllr. Solesbury-Timms
Cllr. Allen Cllr. Stevens
Cllr. Burgess Cllr. Truman
Cllr. Hoose Cllr. Washer

23/115 Election of Chairman for the Year 2023/2024

On the proposition of Cllr. Solesbury-Timms it was **RESOLVED**: to elect Cllr. Youel as Chairman of the Parish Council 2023/24. Signed Declaration of Acceptance of Office received by the clerk.

23/114 Apologies for absence

Apologies received from Cllr. Mills Early departures: Cllr. Burgess and Cllr. Solesbury-Timms, work commitments. Resignation of Alison Knight. Absent without apology: Cllr. Jerrams-Coughtrey. On the proposition of Cllr. Allen it was **RESOLVED**: to approve the apologies for absence.

23/116 Election of Vice Chairman

Cllr. Truman proposed by Cllr. Solesbury-Timms, seconded by Cllr. Youel.

Cllr. Burgess proposed by Cllr. Allen, no second.

Cllr. Solesbury-Timms proposed by Cllr. Truman, seconded Cllr. Stevens.

On the proposition of Cllr Solesbury-Timms it was **RESOLVED**: to elect Cllr. Truman as the Vice-Chairman of the Parish Council 2023/24. Signed Declaration of Acceptance of Office received by the clerk.

23/117 OPEN MEETING

A member of the public asked regarding the dog warden role.

Cllr. Rosie Herring covered responsibilities as unitary councillor:

Involvement in Scrutiny committee.

Chair of the adult social care scrutiny committee.

Open day Saturday 13th in Brackley medical centre from 2pm.

Local Area Partnership, integrated care services, NHS working with council, subdivided areas for more local input. Police forms available to fill in for "soft intel", held in confidence.

County lines.

Chairman invited Cllr Herring to continue at item 22/123.

On the proposition of Cllr Solesbury-Timms it was **RESOLVED**: to move item 22/123 to the next item of discussion.

Chairman closed the meeting 19:38.

23/123 Receive reports from Unitary Council - attached

Cllr Herring continued the report to include:

Challenging the NHS to make improvements for children's mental health, highlighted the pressure of getting "into the system" of a 2 year waiting list that was "effectively closed".

Cllr Burgess asked if this was CAMHS, Cllr Herring confirmed. Cllr. Solesbury-Timms commented this was a national issue not district-specific.

Cllr. Solesbury-Timms highlighted concerns regarding quality of transition from cut-off point at 18 with CAMHS.

Cllr. Hoose confirmed who Cllr Herring was for those who had not been introduced

Cllr Rebecca Breese introduced herself and her priority focus on planning. Her verbal report included: Brief description of West Northants plan and single local plan in the evidence-gathering process. From October, the village should be consulted on the planning process.

Reduced additional housing requirements from 30,000 to 6,000 and additional employment land. Steering away from logistics as introduces lower value employment.

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Assessing what has and has not worked in local plan – exemplified less successful aspects in Towcester. Highlighted importance of communities engaging. Consultation does work, “issues and options” paper distributed, 3000 responses.

Local policies under South Northants Local Plan, moving to larger strategic document.

Cherwell described as being “closely monitored”, WNC planners to engage more pro-actively with Cherwell planning.

Cherwell local plan – “call for sites”, technical process that identifies land that could be available.

Huscote Farm has not been identified, nor Nethercote or sites at Junction 10 under Cherwell local plans.

WNC planning has not been optimal, modernising process.

Transparency with smaller authorities to understand outstanding S106 monies, etc.

Cllr Hoose asked what the consultation with Middleton Cheney will look like regarding the WNC strategic plan.

Cllr Breese identified the question of whether it is fair for Middleton Cheney to be subject to further development. Do some local areas need targeted development to balance the population.

Cllr. Solesbury-Timms identified 3 “failed” attempts to put together Neighbourhood Plan.

Cllr Breese identified that villages with a NP receive 25% CIL rather than the standard 15%.

Cllr. Stevens spoke on the Waters Lane development and the agreement that Middleton Cheney had been developed enough, but developers won in court, questioning what protection can Middleton Cheney have.

Cllr Breese stated robust policies with evidence. No route for challenge except judicial review, expensive and not challenging the decision but the decision-making process. Waters Lane affordable housing suddenly “not viable”, removal of starter homes to balance the population. Middleton Cheney welcoming affordable housing.

Cllr. Burgess asked regarding how the LGBC boundary changes challenges will be faced. Cllr Breese commented councillors are being spread more thinly and Middleton Cheney will see councillors once or twice a year.

The Chairman asked regarding West Northants 5 year land supply, Cllr Breese confirmed talks regarding removing land supply figures.

Infrastructure plan being published with next round of consultations.

Cllr Solesbury-Timms asked how do village schools achieve Net 0 without building new schools.

Cllr Burgess indicated green initiatives to be enforced on new developments. This is currently being considered, including EV points and infrastructure.

The Chairman thanked the Unitary councillors for their attendance and participation.

23/118 Members’ declaration of interest in items on the agenda

None declared.

Cllr. Solesbury-Timms and Cllr. Burgess departed 20:06

23/119 Minutes of Annual Meeting of the Parish Council of 9th May 2022

On the proposition of Cllr. Hoose it was **RESOLVED**: To ratify the approval minutes of the Annual Meeting of the Parish Council 2022.

23/120 To confirm Standing Committees of the council

On the proposition of the Chairman it was **RESOLVED**: to confirm the Standing Committees as: Finance and Policy, Human Resources, Amenities, Highways & Planning for year 2023/24.

23/121 Appointment of members to existing committees

Amenities: Cllrs Stevens, Burgess, Washer, Truman.

On the proposition of the Chairman it was **RESOLVED**: to appoint the above councillors to the committee.

Finance & Policy: Cllrs Hoose, Allen, Youel, Mills, Solesbury-Timms, Burgess.

On the proposition of the Chairman it was **RESOLVED**: to appoint the above councillors to the committee.

Highways & Planning: Cllrs Burgess, Solesbury-Timms, Mills, Washer.

On the proposition of the Chairman it was **RESOLVED**: to appoint the above councillors to the committee.

Human Resources: Cllrs Youel, Allen, Hoose, Truman, Jerrams-Coughtrey, Solesbury-Timms.

On the proposition of the Chairman it was **RESOLVED**: to appoint the above councillors to the committee.

23/122 Review of Terms of Reference and Scheme of Delegation

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Cllr Allen identified the clerk as an ex-officio member of the committees, clerk is a member present for discussion but not a voting member. Human Resources committee (section 1) and Finance committee. Wording to be changed to the clerk is non-voting member of the committee.

On the proposition of the Chairman it was **RESOLVED**: to adopt the Terms of Reference subject to changing the wording identified by Cllr Allen.

On the proposition of Cllr Allen it was **RESOLVED**: to adopt the Scheme of Delegation for year 2023/24.

23/124 Review and adoption of Standing Orders - attached

Changes identified by the clerk. On the proposition of Cllr. Allen it was **RESOLVED**: to confirm or change the Standing Orders for year 2023/24.

23/125 Review and adoption of Financial Regulations - attached

Changes identified to include debit card payments and possibility of holding a Paypal account.

On the proposition of Cllr. Allen it was **RESOLVED**: to confirm or change the Financial Regulations for year 2023/24.

23/126 Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses

On the proposition of the Chairman it was **RESOLVED**: to move the item to the next meeting.

23/127 Review of Code of Conduct - attached

On the proposition of Cllr. Allen it was **RESOLVED**: to adopt the Code of Conduct with no changes.

23/128 Review Effectiveness of Internal Audit - attached

On the proposition of Cllr. Allen it was **RESOLVED**: to approve the effectiveness of Internal Audit with no changes, included only to align with Annual Meeting of the Council.

23/129 Review Financial Risk Assessment - attached

On the proposition of Cllr. Allen it was **RESOLVED**: to approve the Financial Risk Assessment with no changes, included only to align with Annual Meeting of the Council.

23/130 Determine the time and place of ordinary meetings of the council up to and including the next annual meeting of the Council.

Cllr. Hoose requested Standing Committees schedule in regular meetings (with a view to cancel if not needed), council agreed.

On the proposition of Cllr. Allen it was **RESOLVED**: to adopt the schedule of meetings of the council and annual parish meeting.

23/131 Next meeting 15th May 2022 - Full Council Meeting.

Meeting closed: 20:41pm.



Middleton Cheney Parish Council Terms of Reference
Committees & Working Groups

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COMMITTEES

FULL COUNCIL

Background: Members of the Middleton Cheney Parish Council (MCPC) meet once a month, to which members of the public are welcome to attend, to discuss all aspects of the parish and agree financial, planning and governance aspects of the Council. Meetings are run in accordance with the Parish Council’s Standing Orders.

Terms of the Committee: The following matters shall be reserved for decision by Full Council, but the appropriate Committee(s) may make recommendation for the Council’s consideration:

1. The Precept.
2. Borrowing money.
3. Making, amending or revoking Standing Orders, Financial Regulations, Duties and Powers of Proper Officer provisions.
4. Making, amending or revoking by-laws.
5. Making of Orders under Statutory Powers.
6. Matters of principle or policy.
7. Addressing recommendations in any report from the Internal and External Auditors.
8. Nomination or appointment of representatives of the Parish Council on an authority, organisation or body (except approved conferences or meetings).
9. Nomination of members of all standing committees.
10. New powers or duties.
11. Nomination or appointment of representatives of the Parish Council to any enquiry on matters affecting the parish.
12. To receive and adopt the Annual Governance and Accountability Return.
13. To receive and sign off the Annual External Audit and Return.
14. To receive reports and recommendations referred to Full Council from the various committees.
15. To set up direct reporting task & finish groups as necessary.



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16. To receive reports and recommendations and consider recommendations from all direct reporting committees and working groups set up by Full Council or indirect groups where considered appropriate by the Parish Clerk or Committee Chairs.
17. To authorise the sealing of various documents with signatures of two parish councillors.
18. To appoint representatives on outside bodies or joint bodies.
19. To confirm the schedule of meetings of Full Council and the standing committees for the ensuing year.
20. To receive petitions and deputations from members of the public or any organisations.
21. Any other matters not delegated to a standing committee or referred to Full Council by standing committees.

HUMAN RESOURCES COMMITTEE

Background: The Committee shall be called the Human Resources Committee (hereafter the HR Committee or HRC). The purpose of the HRC is to act in a fair and transparent manner on behalf of Middleton Cheney Parish Council in matters concerning human resources, including but not limited to: employment and staffing, health and safety, and training of staff and members.

Members are appointed by MCPC. Members are appointed until the next Annual Meeting of the Council. If necessary MCPC will from time to time appoint additional or substitute members to the committee. The committee shall elect a chairman annually at the first meeting of the committee after the formation of the committee or after the Annual Parish Council meeting, unless MCPC has already elected a chair at the Annual Parish Council Meeting. The committee may choose to elect a vice-chairman as required.

Terms of the Committee:

1. To include the Parish Council Chair and Clerk/RFO as ex officio members and be quorate only if at least three members are present. Clerk/RFO is a member present for discussion but not a voting member.
2. To agree and manage relevant expenditure of amounts up to the budget agreed for such matters, up to a maximum of £1,000.
3. To approve staff overtime and holidays (unless otherwise delegated by MCPC).
4. To determine employment policies and procedures including:
 - Employment contracts
 - Job descriptions
 - Dignity at Work Policy
 - Disciplinary Policy
 - Equality Policy
 - Grievance Policy
 - Health and Safety Policy
 - Safeguarding Policy
5. To agree and manage training of staff and council members.
6. Management of any other specific matters as shall be decided by MCPC.
7. To establish and keep under review the staffing structure in consultation with the Parish Council.
8. To establish and review staff salary pay scales for all categories of staff and be responsible for their administration and review.
9. To oversee the recruitment and appointment of staff.
10. To arrange execution of new employment contracts and changes to contracts.
11. To review and revise employment contracts in consultation with staff and in compliance with legislation and, as appropriate, to recommend any changes to the Parish Council.
12. To keep under review the Clerk's Job description and ensure it reflects the requirement of the role.
13. To establish and review performance management (including annual appraisals) and staff training programmes.
14. To keep under review staff working conditions and Health and Safety matters.
15. To monitor and address regular or sustained staff absence (as per Absence Management Policy).
16. To make recommendations on staffing related expenditure to full Council.

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17. To consider any appeal against a decision in respect of pay.
18. To oversee any process leading to dismissal of staff (including redundancy).
19. The Committee is authorised to establish sub-committees and working groups as and when necessary to assist in its work.
20. To manage, supervise and appraise the Clerk.
21. To agree and monitor achievement against annual objectives; administer leave requests; record, monitor and manage absences from work.
22. To review and monitor the Clerk's timesheets and agree 'Time off in lieu' allowances.
23. To consider grievance or disciplinary matters (and any appeal) in accordance with Middleton Cheney Parish Council's Grievance or Disciplinary procedures.

The terms of reference of the HRC are to be reviewed annually by the full Middleton Cheney Parish Council (MCPC).

Meetings will be held as deemed necessary by the members of the HRC or by MCPC, subject to MCPC's Standing Orders. They will be advertised as required by law and will be open to press and public, unless the confidential nature of the business to be transacted precludes this.

The chairman of the committee or other designated representative will take and distribute minutes within seven days of the meeting. If the Clerk is not present for a particular item a member of the committee shall take the minutes and pass them to the Clerk within seven days for distribution. Minutes will be approved at the next meeting of the HRC or submitted to MCPC for approval if no meeting of the HRC shall be scheduled within 9 weeks of the meeting to which the minutes refer. If not already approved and published, draft minutes shall be published within 1 month¹ of the meeting to which they refer.

The chairman of the committee or other designated representative shall report proceedings to the next MCPC meeting as required. Minutes from the HR Committee are to be noted by the Full Council for information, including decisions on creation of new roles and recruitment to all roles will be made by the full council.

The HR Committee delegates the responsibility to the Clerk to provide day-to-day oversight, direction, guidance, and support for the work of the Council staff. The Clerk is also responsible for managing annual leave, approved lieu time and monitoring sickness. It is the responsibility of the Clerk to bring serious matters of concern to the HR Committee, including unusual or extended sick leave patterns. Reports on staff appraisals, performance review and salary reviews will be prepared by line managers prior to agreement by the HR Committee.

FINANCE AND POLICY COMMITTEE

Background: The Finance and Policy Committee will take responsibility and support full council in management of all finance matters and policy management. Including, generation of the organisational needs and creation of both a strategic plan and a budget. The strategic plan will lay out the direction and goals of the organisation and guidelines for actions to achieve those goals, while the budget looks at the money needed to support achieving those goals. The Parish Council has limited ability to gain income above the set precept and must act within its budget. Undertaking all the activities desired by residents may not be possible; therefore, residents will need to be given information to understand the cost consequences, obligations, limitations, and benefits of budget expenditure.

Terms of the Committee:

1. To include the Parish Council Chair and Clerk/RFO as ex officio members and be quorate only if at least three members are present. Clerk/RFO is a member present for discussion but not a voting member.
2. To work within the Council's financial regulations at all times.
3. To work with the Council's responsible financial officer (the clerk) to ensure that the Committee is fully informed of the Council's financial resources and expenditure obligations.

¹ Required by the Transparency Code 2014

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4. Be responsible for making recommendations to the Council on budget requirements, including recommendations for the precept level to ensure the Council manages its finances to meet its short and long term goals by:
 - a. Advising the Council of the potential cost of new services
 - b. Taking into account the estimates of services identified by other committees (e.g. the HR Committee, Amenities committee and Planning & Highways Committee)
 - c. Considering forward planning and necessary earmarked reserves for the replacement of equipment, buildings and specific items of expenditure required in the future in order to lessen the precept burden in any one year
 - d. Ensure that the budget is directly linked to the tasks identified in a 3 year strategy and the management of the Council's assets and responsibilities.
5. To develop a strategy to manage the Council's business that is fully informed by residents of Middleton Cheney by consultation and open meetings.
6. The Finance and Policy Committee is expected to meet at least quarterly, 1. to coordinate the outcomes of consultation, analyse feasibility, create a strategy that considers risk and benefits and identifies the budget implications and 2. to review the progress midway through the financial year.
7. To arrange extraordinary meetings if new legislation or external impacts are considered to have financial consequences that require recommendations to full Council to significantly change the strategic plan. Extraordinary meetings will only be arranged at the request of a full Parish Council meeting or may be called by the clerk, as responsible finance officer, if clerk considers that matters of risk or financial security require such a meeting, and should be for matters that are deemed inappropriate to be considered in an ordinary Parish Council meeting.
8. In relation to risk management, the Finance and Policy Committee will develop a strategy and budget for the Parish Council in compliance with the Council's Risk Management Policy and its stated role contained therein.
9. To make recommendations as to any professional and/or legal advice deemed necessary by the Committee to ensure that strategic development is maximised.
10. To co-opt any person or persons (up to a total of 3) it deems appropriate to the Committee. Such co-opted members will not have voting rights.
11. To designate committee members with key responsibilities for consultation and liaison, for research, for budget presentation and for identifying legal obligations.
12. To review and update council policies for annual approval and adoption by full council.
13. To maintain a standard format for all policies and procedures that include a version number, owner, date of adoption, document version history and approval history.
14. To maintain register of all approved policies.
15. To manage the review, change and approval of documents.
16. To schedule review of policy documents at full council meetings.
17. To collaborate with other councillors, committees, working groups, and council employees in the creation and review of new and existing policy.
- 1.

PLANNING AND HIGHWAYS COMMITTEE

Background: This Committee is appointed to consider all aspects of land development and any highways issues within the parish.

Terms of the Committee:

1. To make recommendations on all matters relating to new housing developments to be built within the parish.
2. To make recommendations on responses to parish planning applications.

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3. To work in partnership with the developer, West Northamptonshire Council, other key parties and the Parish Council to deliver the design, affordable housing, facilities and infrastructure needed to provide a development which preserves and enhances the character of the parish.
4. To make recommendations on a detailed response to any planning application for a new development.
5. To identify and agree the key priorities for the parish as a response to new housing developments.
6. To engage with the developer, West Northamptonshire Council and other key parties at an early stage to ensure that an appropriate community contribution is secured.
7. To engage with the developer, West Northamptonshire Council and other key parties at an early stage to ensure the delivery of the agreed key priorities.
8. To make recommendations as to any professional and/or legal advice deemed necessary by the Committee to ensure that maximum benefit can be realised from any development. Provide budgetary estimates to the Parish Council for approval.
9. To consider any proposals for potential adoption of sports and recreational facilities, open spaces, or streetlights deriving from new development.
10. To review, secure evidence and advise on any changes required to the West Northamptonshire Core Strategy and Development Plan.
11. To co-opt any person or persons it deems appropriate to the Committee. Non-councillor members who form this committee may not vote on this committee.
12. Oversee any strategic parish development plan (e.g. parish plan, neighbourhood plan) as directed by the full council.
13. To create a biannual report for the full council, identifying desirable improvements to the village’s traffic issues, including the needs of pedestrians, drivers and businesses throughout the village.
14. Monitor traffic management and speeding issues within the village; and report to the relevant authorities
15. Monitor transport issues including those related to parking, cyclists, bus service and shelter requests; and report to the relevant authorities
16. Co-ordinate with Unitary Council Highways department.
17. Make representation to the relevant authority in respect of highways management and maintenance e.g. roads, footpaths, pavements, cycle ways, bridleways, street furniture and lighting, gritting, bollards, and other observations
18. Formulate bids for schemes; noting these require budget approval by Finance and Policy Committee and/or Parish Council prior to submission
19. Monitor and report (quarterly) progress on all current traffic-related projects for which the Parish Council bears some or all the costs, including specifically any deviations from planned cost, functionality or timescale profiles
20. Review traffic-related aspects of possible and planned future developments and advise the Parish Council and other relevant authorities. The Committee is authorised to establish sub-committees and task & finish groups as and when necessary to assist in its work.

Document History

Version	Author	Date	Changes	Status	Minute ref
1.0	A Youel	17-10-2022		Adopted	22/1166
1.1	A Youel	09-05-2023	Ex-officio	Adopted	23/122
1.2	A Youel	10-03-2024	Remove WG	Draft	
1.3	P Davis	11-3-2024	Expand Highways. Remove Amenities	Draft	



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Category: Policy	Status: DRAFT
Responsible: Finance & Policy Committee	Adoption minute ref:
Applicable to: Committee/ Working Group	Adoption date:
Version: 1.1	Next review:

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 enshrined in the Council's key governance documents – its Standing Orders, Financial Regulations, Committee Terms of Reference and Task & Finish Group 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 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, parish councils' power 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.



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- k) Declaring eligibility for the General Power of Competence.
- l) Appointing and dismissing the Parish 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 approved limits.

5 Clerk

5.1 The Parish 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.
- c) Authorising any expenditure delegated within approved limits.
- d) Postponing a meeting or calling an additional meeting of the Council or any committee, as necessary, in consultation with the Chair 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, 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 within approved 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.
- l) 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.
- m) Renewing any existing leasing or licencing agreements, save where the estimated value exceeds any amount laid down, 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.



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- 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 While 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:

- a) Two councillors may convene an extraordinary meeting of the Council, should the Chair refuse to do so.
- b) The Chair and HR Committee 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 Parish 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)



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- 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.
- 9.9 '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.
- 9.10 Specific terms of reference are available for each of the Council's four standing committees: Human Resources; Finance and Policy; Planning and Highways; and Amenities.
- 9.11 There is concern that where contentious issues are raised, there should be a mechanism for these to be referred to the Full Council. Therefore, it is accepted within 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.

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STANDING ORDERS 2024/5

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INTRODUCTION

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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.

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.

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.

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RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.
- h A councillor may move an amendment to his/her/their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair 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 chair of the meeting.
- k One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- 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 chair of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he/she/they last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.



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- 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/she/they considers has been breached or specify the other irregularity in the proceedings of the meeting he/she/they is concerned by.
- q A point of order shall be decided by the chair of the meeting and his/her/their decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her/their right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by an individual councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chair of the meeting.

DISORDERLY CONDUCT AT MEETINGS

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



MEETINGS GENERALLY

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business 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 chair of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 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 chair of the meeting may direct that a written or oral response be given.
- i [A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)] OR [A person shall raise his/her/their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The chair of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his/her/their comments to the chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.



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- 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 of the meeting Chair.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- r **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her/their casting vote whether or not he/she/they gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.
- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her/their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- t The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with



voting rights;

- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- 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 (including LGA 1972) or restrictions under the code on his/her/their right to participate and vote on that matter.**
- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

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

- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- x A meeting shall not exceed a period of 3 hours.

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;



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- 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 4 days before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own chair 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.

ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
- f **The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of**



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the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.

- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her/their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - i. Receipt of the minutes of the last meeting of a committee;
 - ii. Confirm Standing Committees of the Council
 - iii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - iv. Review of the terms of reference for committees;
 - v. Appointment of members to existing committees;
 - vi. Appointment of any new committees in accordance with standing order 4;
 - vii. Review and adoption of appropriate standing orders and financial regulations;
 - viii. Review of Code of Conduct;
 - ix. Review of Effectiveness of Internal Audit and Financial Risk Assessment;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. 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;
 - xii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not call an extraordinary meeting of the Council within seven**



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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 chair 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 chair of a committee [or a sub-committee] does not call an extraordinary meeting within 14 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].

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 4 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.

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 chair of the meeting.

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 4 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 4 clear days before the meeting.



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

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.



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.**

DRAFT MINUTES

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

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they shall sign the minutes and include a paragraph in the following terms or to the same effect:

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



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- 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.

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/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has a disclosable pecuniary interest. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- c Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has another interest if so required by the Council's code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**



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- 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.**

CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**



- 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 4 clear days before the meeting confirming his/her/their withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. hold acceptance of office forms from councillors;
 - vii. hold a copy of every councillor's register of interests;
 - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
 - x. receive and send general correspondence and notices on behalf of the Council 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;



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- 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 Chair or in his/her/their absence Vice-Chair (if there is one) of the Highways and Planning Committee within 2 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 OR Highways and Planning committee;
- 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).

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.

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.

FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in 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;



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- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of Council OR the HR 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 chair of the HR committee or, if he/she/they is not available, the vice-chair (if there is one) of the HR committee of absence occasioned by illness or other reason and that person shall report such absence to the HR committee at its next meeting.
- c. The chair of HR committee or in his/her/their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the clerk. The chair of the HR committee or in his/her/their absence, the vice-chair shall upon a resolution and the clerk shall conduct a review of the performance and annual appraisal of the work of any other employees of the Council. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by HR committee.
- 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 chair of the HR committee or in his/her/their absence, the vice-chair of the HR committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the HR committee.
- e. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an employee of the Council relates to the chair or vice-chair of HR committee, this shall be communicated to another member of HR committee, which shall be reported back and progressed by resolution of HR committee.
- 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).



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.

The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exhaustive 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/her/their personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

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.

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.**



COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

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

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.

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 4 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 chair of a meeting as to the application of standing orders at the meeting shall be final.



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Category:	Status: Draft
Responsible: Finance and Policy	Adoption minute ref:
Applicable to: Council	Adoption date:
Version: 1.0	Next review: 04/2025

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

Organisation	Business	Arrangement
West Northamptonshire Council	Local Authority	WNC - MCPC have unitary representatives who shall be invited to report at every full council meeting and Annual Parish Meeting. MCPC pay WNC directly for some services, others WNC levy directly through Council Tax. MCPC receive a nominal payment for grass-cutting.
	Council Tax	The Parish Council may make a precept demand which is collected by WNC as part of the Council Tax demand and paid biannually.
	Bin collection and Waste Recycling	WNC provide regular domestic waste collections. The Council pays green waste collection subscription for the Cemetery and for Business Waste collection from collected street litter.
	Planning and Building Control	The Parish Council receive weekly updates on planning applications and decisions. The Parish Council may submit comments, objections or support relating to an application.
	Electoral and Democratic services	The Council must submit declaration of acceptance of office and members' registers of interests to democratic services. WNC must be notified of vacancies when they arise and will confirm with the Council any action regarding this. WNC are the monitoring authority, contact is Catherine Whitehead, Director of Legal and Democratic (Statutory Monitoring Officer).





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	Schools and Education	Chenderit School, Middleton Cheney Primary Academy, Middleton Cheney Pre-School and the Community Library are based in the Parish. WNC provide opportunities for funding and support.
	Community and Safety	<p>WNC will investigate the following defects when reported via Fixmystreet:</p> <ul style="list-style-type: none"> Abandoned vehicles Bus Stops Car parks Crash Barriers Dog fouling Drains/Drain Covers Flyposting/Flytipping Footway/Footpath Graffiti Highway Bridges Kerbs Parks/landscapes Pedestrian Barriers Public toilets Rights of Way Road Markings - Worn/Faded Roads Rubbish (refuse and Recycling) Safety Bollards Street cleaning Street lighting Street nameplates Traffic Signals Vegetation Verges Winter Maintenance
	Parking, Roads and Transport	Highways matters can be reported to the Highways regulations team / Kier
Grand Union Housing Group	Housing Association	GUHG - MCPC to support a sustained presence of the Housing Association in the village. MCPC to ensure GUHG maintain standards of areas it owns and is responsible for.
MC Playing Fields Association	Charity – Leisure, Venue	MCPC is the Custodian Trustees of the Playing Field and must ensure a Playing



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		Field Committee is in place. Powers over the site and its management lie with the Committee and not the Council. MCPC may have a member representative on the committee. In 2023 the Council agreed to work collaboratively to support the PFA to make recommendations on its future plans.
Village Hall Committee	Charity – Leisure, venue	Village hall committee - access to carpark arrangements, MCPC to ensure its boundaries are suitably maintained.
MC Community Library	Service	Ad hoc arrangements can be negotiated between the council or clerk and an organisation representative.
All Saints Church	Worship	Ad hoc arrangements can be negotiated between the council or clerk and an organisation representative.
Chenderit School	Education	Arrangements with “Risk Aware” group – MCPC offer its support where needed. The Parish falls within the catchment for the school.
Chenderit School Association	Charity – Education, community	Registered charity operating within the Parish. The CSA and Parish Council may enter into an events partnership on an ad hoc basis.
Middleton Cheney Primary Academy	Education	Primary School – Flag pole arrangements. The Parish falls within the catchment for the school.
Middleton Cheney Pre School	Charity – Education	Registered Charity operating within the Parish, no special arrangements.
United Charities	Charity – Community	Registered Charity operating within the Parish, no special arrangements.
Horton Almshouses	Charity – Housing, community	Registered Charity operating within the Parish, no special arrangements.
Age UK	Charity - Community	Age UK is a registered charity with a branch



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		operating within the Parish. No special arrangements.
Royal British Legion, Middleton Cheney and District Branch	Charity – Armed Forces	The Royal British Legion is a registered charity, with the Middleton Cheney and District Branch operating within the Parish. The CSA and Parish Council may enter into an events partnership on an ad hoc basis. The Royal British Legion provide the Parade Commander and Parade arrangements for Remembrance Sunday.
Brackley Policing Team, Northamptonshire Police	Emergency Services	The Team hold occasional Beat Bus surgeries in the Parish. The Team are contacted to provide a report at the Annual Parish Meeting.

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Category: Policy	Status: Draft
Responsible: Clerk/RFO	Adoption minute ref:
Applicable to: Finance & Policy Committee	Adoption date:
Version: 1.0	Next review:

Member Code of Conduct

SECTION 1: INTRODUCTION

The Members' Code of Conduct is intended to promote high standards of behaviour amongst Councillors.

The Code is underpinned by the following seven Nolan principles of public life, which should be adhered to when interpreting the meaning of the Code. Councillors should behave with:

1. **Selflessness** – and act solely in terms of the public interest. They should not act in order to gain financial or other benefits for themselves, their family, or their friends.
2. **Integrity** – and should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
3. **Objectivity** – in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits; choices should be made on merit.
4. **Accountability** – and are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
5. **Openness** – and should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
6. **Honesty** – and declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
7. **Leadership** – and should promote and support these principles by leadership and example



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SECTION 2: GENERAL PROVISIONS

1. Introduction and Interpretation

- 1.1 This Code applies to all members of the Council. It is your responsibility to comply with the provisions of this Code.
- 1.2 In this Code:
- a) “the Council” refers to Middleton Cheney Parish Council.
 - b) “Councillor” means any person being a Member of the Council.
 - c) “Meeting” means any meeting of:
 - the Council
 - any of the Council’s committees, or sub-committees
 - any of the Council’s advisory groups, working parties and panels.

2. Scope

- 2.1 This Code applies to you whenever you are acting in the capacity as a Member of the Council: not only when attending meetings. For example, it will also include but is not limited to Members’ dealings with officers, Members’ dealings with the public, when Members represent the Council on outside bodies, any statements made by a member on behalf of the Council.

3. General Obligations

- 3.1 You must treat others with respect.
- 3.2 You must not do anything which may cause the Council to fall foul of UK equalities legislation.
- 3.3 You must not bully or intimidate any person or do anything which compromises the independence of those who work for the Council.
- 3.4 For the purposes of this paragraph, bullying is defined as: “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient. Examples of bullying include, but are not limited to:
- spreading malicious rumours or insulting someone by word or behaviour.
 - copying communications that are critical about someone to others who do not need to know.
 - ridiculing or demeaning someone – picking on them or setting them up to fail.
 - exclusion or victimization.
 - unfair treatment.
 - overbearing supervision or other misuse of power or position.



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- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected.
 - making threats or comments about job security without foundation.
 - deliberately undermining a competent worker by overloading and constant criticism.
 - preventing individuals progressing by intentionally blocking promotion or training opportunities.
- 3.5 You must not intimidate or attempt to intimidate any person who is or may be:
- a complainant;
 - a witness; or
 - involved in the administration of this Code.
- 3.6 You must not make trivial or malicious allegations against others
- 3.7 You must not do anything which compromises or may compromise the impartiality of those who work for, or on behalf of, the Council.
- 3.8 You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.
- 3.9 You must not accept any gifts or hospitality that could be seen by the public as likely to influence your judgement in relation to any matter that you deal with in your official capacity.
- 3.10 You must not pass on information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless:
- you have the consent of a person authorised to give it
 - you are required by law to do so
 - the disclosure is made to a third party for the purpose of obtaining professional advice, provided that they agree not to pass on the information to any other person; or
 - the disclosure is:
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the Council.
- 3.11 You must not prevent another person from gaining access to information to which that person is entitled by law.
- 3.12 You must not use or attempt to use your position as a Councillor improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage.
- 3.13 You must, when using, or authorising the use by others of, the resources of the Council:
- act in accordance with the Council's reasonable requirements



- ensure that such resources are not used improperly for political purposes (including party political purposes).
- 3.14 You must have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.
- 3.15 You must comply with any formal standards investigation into your conduct or the conduct of another Councillor.
- 3.16 You must, when reaching decisions on any matter, have regard to any relevant advice provided to you by:
- the Council's Responsible Finance Officer; or
 - the Council's Monitoring Officer
 - where that officer is acting in that role.
- 3.17 You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Council.

SECTION 3: INTERESTS

1. Registration of Interests

- 1.1 Within 28 days of this Code being adopted by your Council or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Appendix A (Disclosable Pecuniary Interests) and Appendix B (Other Registerable Interests).
- 1.2 You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Appendix A or B, or of any change to a registered interest, notify the Monitoring Officer.

2. Disclosable Pecuniary Interests

- 2.1 Where a matter arises at a meeting in which you have an interest in Appendix A, you must declare the interest (unless it is sensitive - see section 5 below), not participate, or participate further, in any discussion or vote further on the matter and must not remain in the room unless granted a dispensation.

3. Other registerable interests

- 3.1 Where a matter arises at a meeting in which you have an interest in Appendix B, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

4. Non-registerable interests

- 4.1 Where a matter arises at a meeting which relates to your own financial interest (and is not a Disclosable Pecuniary Interest) or your own wellbeing or is otherwise to your advantage or relates to a financial interest or wellbeing or is otherwise to the advantage of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless



granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

- 4.2 Where a matter arises at a meeting which affects your own financial interest or a financial interest of a relative, friend, close associate or body covered by Appendix B you must disclose the interest;
- 4.3 Where the matter referred to in paragraph 4.2 affects the financial interest to a greater extent than if affects the financial interests of the majority of inhabitants of the area affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest, you must not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.
5. Sensitive Interests
 - 5.1 Where you consider (and the Council's Monitoring Officer agrees) that the nature of a Disclosable Pecuniary Interest, or other interest is such that disclosure of the details of the interest could lead to you or a person connected with you being subject to intimidation or violence, it is a "sensitive interest" for the purposes of the Code. The details of the sensitive interest do not need to be disclosed to a meeting, although the fact that you have a sensitive interest must be disclosed.

APPENDIX A – DISCLOSABLE PECUNIARY INTERESTS

1. Breaches of the rules relating to Disclosable Pecuniary Interests may lead to criminal sanctions being imposed.
2. You have a Disclosable Pecuniary Interest if it is of a description specified in regulations made by the Secretary of State and either:
 - 2.1 it is an interest of yours, or
 - 2.2 it is an interest of:
 - your spouse or civil partner
 - a person with whom you are living as husband and wife, or
 - a person with whom you are living as if you were civil partners
 - and you are aware that that other person has the interest.
3. Disclosable Pecuniary Interests are:

Interest	Description
Employment, office, trade, profession, or vocation	Any employment, office, trade, profession or vocation carried on by you for profit or gain.



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Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your 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 which is made between you (or a body in which you have a beneficial interest) 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.
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 your knowledge) (a) the landlord is the Council; and (b) the tenant is a body in which you have a beneficial interest.

Securities	Any beneficial interest in securities of a body where: (a) that body (to your 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) where 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 you have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of a registered society within the meaning given by section 1(1) of the co-operative and community benefit Societies Act 2014, other than a society registered as a credit union.

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“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 - OTHER REGISTERABLE INTERESTS



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1. Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Council;
2. Any body-
 - exercising functions of a public nature;
 - directed to charitable purposes; or
 - one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management;
3. Any gifts or hospitality worth more than an estimated value of £10 which you have received by virtue of your office, or a series of gifts or hospitality, from the same source within any 12-month period which together are worth more than an estimated value of £10.

PART 2: GIFTS AND HOSPITALITY OFFERED TO COUNCILLORS

1. **General Principals**

- 1.1 Councillors should treat with caution any offer of a gift, favour or hospitality that is made to them. Whilst the person or organisation making the offer may be doing so entirely without expectation of gain, the public may see it differently if that person or organisation is doing business or seeking to do business with the Council. Councillors should ask themselves "Would I have been given this if I was not on the Council?"
- 1.2 It is essential that any suggestion of improper influence should be avoided. When receiving offers of gifts and hospitality, Councillors should be particularly sensitive as to their timing in relation to decisions which the Council may be taking. For example, hospitality must not be accepted knowingly from interested parties during the tendering period of a contract, or whilst an application for planning permission or some other kind of permission/decision is being considered by the Council.
- 1.3 Councillors may come into contact with individuals seeking to enhance the prospects of their business. Sometimes suppliers (or potential suppliers/tenderers for services) make approaches to Councillors with a view to demonstrating a particular product or service. In order to avoid suspicion of unhealthy influence, Councillors should ensure that such offers are advised to appropriate officers.
- 1.4 As with all other aspects of this Code, Councillors should be confident that whatever they do should be seen to be an example to the community of proper conduct and behaviour.

2. Registering Gifts and Hospitality

- 2.1 This Code of Conduct sets out the requirement for Councillors to register the receipt of any gift or hospitality worth £10 or over that they receive in connection with their official duties as a Councillor. If in doubt as to the value, the Councillor should register the offer anyway. An accumulation of gifts from the same source over a short period that adds up to £10 or more should also be registered. The Member must register the gift or hospitality and its source by completing a written declaration within 28 days of receiving it.
- 2.2 The Council will maintain a register of gifts and hospitality received by Councillors where the value is £10 or more in value. The register is maintained by the Council's Proper Officer on



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behalf of the Monitoring Officer. Members should immediately notify the Proper Officer of any such gifts or hospitality received and enter the relevant details in the register. The register will be made available to the public via the Council's web site. It will be updated at least quarterly.

- 2.3 Councillors do not need to register gifts and hospitality that are not related to their role as a Councillor.

Appendix C - Arrangements for Making Complaints

If a person wishes to make a complaint about a councillor under the Code of Conduct, it should be addressed to:

The Monitoring Officer
West Northamptonshire Council
One Angel Square
Angel Street
Northampton
NN1 1ED

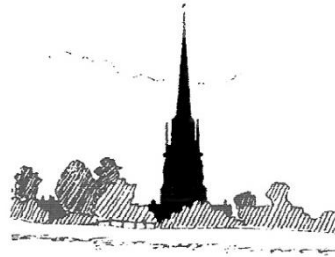
or e-mail catherine.whitehead@westnorthants.gov.uk

The Monitoring Officer is a senior officer of the Council who has statutory responsibility for maintaining the Register of Members' Interests and who is responsible for administering the process in respect of complaints of alleged Member misconduct.

To ensure that the Monitoring Officer has all the information needed to process a complaint, it is recommended that complainants use the complaint form, which is available on request from the Monitoring Officer or can be downloaded from www.westnorthants.gov.uk

Document History

Version	Author	Date	Changes	Status	Minute ref
1.0	A Youel	05-05-2022		Draft	
1.0	A Youel	16-05-2022	Update	Adopted	22/1058
		09-05-2023	None	Adopted	23/127



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Parish Council

Effectiveness of Internal Audit 2023/24

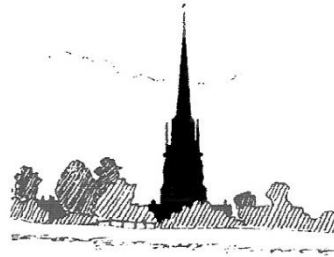
Category: Finance	Status:
Responsible: Clerk/RFO	Adoption minute ref:
Applicable to: Finance Committee	Adoption date:
Version: 1.1	Next review:

INTERNAL CONTROL	SUGGESTED TESTING	PARISH COUNCIL CONTROLS
Proper bookkeeping	<p>Is the cashbook maintained and up to date? Is the cashbook arithmetic correct? Is the cashbook regularly balanced?</p>	<p>The Council uses a software program called RBS Alpha which is specifically designed for Local Councils.</p> <p>Control over these aspects is part of the program.</p>
Standing Orders and Financial Regulations adopted and applied	<p>Has the council formally adopted standing orders and financial regulations?</p>	<p>Yes</p>
Payments controls	<p>Has a Responsible Financial Officer been appointed with specific duties?</p>	<p>Yes</p>
	<p>Have items or services above the de minimis amount been competitively purchased?</p>	<p>Yes. Suspension of Financial Regulations exceptions for appropriate reasons.</p>
	<p>Are payments in the cashbook supported by invoices, authorised and minuted?</p>	<p>A schedule of expenditure (Authorisation of Payments) is presented to each Finance and Policy meeting. Invoices are available at the meeting for inspection and signature by two Councillors.</p>
	<p>Has VAT on payments been identified, recorded and reclaimed?</p>	<p>VAT is claimed regularly throughout the year</p>
	<p>Is s137 expenditure separately recorded and within statutory limits?</p>	<p>No s137 expenditure this financial year.</p>
INTERNAL CONTROL	SUGGESTED TESTING	PARISH COUNCIL CONTROLS

Risk management arrangements	Does a review of the minutes identify any unusual financial activity?	To be reviewed by Internal Auditor annually.
	Do minutes record the Council carrying out an annual risk assessment?	Financial Risk Assessment and Management approved by Council Annually, last May 2023. Allotments and Cemetery Risk Assessments carried out March 2024.
	Is insurance cover appropriate and adequate?	The Clerk updates the asset register to inform insurance quotes. The Clerk has recommended a valuation of insured sites in 2024.
	Are internal financial controls documented and regularly reviewed?	The Council carries out internal monitoring on a regular basis by a nominated Councillor. This is undertaken quarterly throughout the year, a report is provided to the Full Council meetings.
Budgetary Controls	Has the council prepared an annual budget in support of its precept?	Yes
	Are there any significant unexplained variances from budget?	The Council reviews expenditure against budget quarterly. Any significant unexplained variances are highlighted and explained by the Clerk. A new contract was difficult to predict in the budget based on lack of comparable information.
Income Controls	Is income properly recorded and promptly banked?	Recorded in Receipts and Payments detail and reconciled monthly. Income should be banked fortnightly, some cheque payments are delayed.
	Does the precept recorded agree to the Council Tax authority's notification?	Yes
	Are security controls over cash adequate and effective?	Cash monitored by paying-in book and bank reconciliation. Cash payment discouraged.

INTERNAL CONTROL	SUGGESTED TESTING	PARISH COUNCIL CONTROLS
Payroll Controls	Do all employees have contracts of employment with clear terms and conditions?	Yes. Job descriptions to be reviewed 2024.
	Do salaries paid agree with those approved by the council?	Yes - To be reviewed by Internal Auditor at final accounts. NOTE: Council use independent Payroll provider to handle all employment liabilities – these and salary payments are made in accordance with the Payroll providers instructions.
	Are other payments to employees reasonable and approved by the council?	Yes – all other payments (expenses) are presented to council for approval.
	Have PAYE/NI been properly operated by the council as an employer?	PAYE/NI recorded and operated on behalf of the council by Payroll provider. HMRC payments now made monthly.
Assets controls	Does the council maintain a register of all material assets owned or in its care?	Yes
	Are the assets and Investments registers up to date?	Yes. Updated at time of monthly bank reconciliations)
	Do asset insurance valuations agree with those in the asset register?	Partial. It is likely some valuations are not accurate due to identified need for current valuation of certain assets.

INTERNAL CONTROL	SUGGESTED TESTING	PARISH COUNCIL CONTROLS
Bank Reconciliation	Is a bank reconciliation carried out regularly and in a timely fashion?	Yes. Bank reconciliations completed monthly and previous backlog has been completed.
	Are there any unexplained balancing entries in any reconciliation?	No – Alpha system requires a match between bank balances and transactions made.
	Is the value of investments held summarised on the reconciliation?	Yes
Year-end procedures	Are year end accounts prepared on the correct accounting basis (Receipts and Payments or Income and Expenditure)?	Yes
	Do accounts agree with the cashbook?	Review undertaken by the Internal Auditor as part of the review of the accounts for the year.



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Financial Risk Assessment & Management

Category: Finance	Status: Draft
Responsible: Clerk/RFO	Adoption minute ref:
Applicable to: Finance Committee	Adoption date:
Version: 1.1	Next review: 05/2025

FINANCE					
Ref	Topic	Risk	H/M/L	Management/Control of Risk	Review/Assess/Revise
1	Precept	Adequacy of precept	L	To determine the precept amount required, the Parish Council should receive quarterly budget information and meet ahead of the precept demand to assess adequacy to date.	Satisfactory. Quarterly budget information is supplied to the Full Council.
2		Requirements not submitted to WNC	L	WNC requests precept requirement providing a prompt for the Clerk. The precept request form is submitted by the Clerk in writing to the WNC. Clerk keeps record of precept request.	Satisfactory Clerk to minute the precept amount.
3		Precept not received	L	Precept receipt is monitored by Clerk who informs Council when the precept is received at the next full council meeting. WNC confirm pay date, RFO to monitor levels of general reserves are adequate but no more than 50% of annual precept.	Satisfactory
4	Budgeting	Budget not prepared for next financial year	L	The Parish Council monitors data on previous budget and year to date expenditure to anticipate requirements by nominal code/category. Budget and precept setting are timetabled for meeting agenda annually in line with the Standing Order Calendar.	Satisfactory
5	Financial Records	Inadequate records	M	The Parish Council's Financial Regulations outline the required format of finance processing and record-keeping. ICC, Internal audit and AGAR to trigger proper scrutiny of the effectiveness of Financial Regulations in practice.	Satisfactory AGAR 2022-23 identified internal control objectives not met, these have been acknowledged and corrections to processes implemented.
6		Financial irregularities/Internal controls	L	ICC ensure basic financial management compliance such as bank reconciliations and VAT reclaim. Record keeping of invoices, statements, cheque books and paying in books maintained as a resource for scrutinising errors.	Satisfactory. ICC remodelled for better scrutiny.
7	Bank and Banking	Inadequate checks Bank mistakes Loss Charges	L L L L	The Parish Council's Financial Regulations is the essential framework for banking, cheques and reconciliation of accounts. Banking errors can be discovered by the Clerk/RFO during monthly bank reconciliations and appropriate resolution sought with the bank. Reconciliation reports to run each month to support cashbook balancing. Dual signatory required for authorisation of	Satisfactory. Financial Regulations to be reviewed in line with Standing Order Calendar.

				payments and losses to be brought to the attention of Finance and Policy Committee.	
8	Cash	Loss through theft or dishonesty	M	The Parish Council receives very few payments in cash though the handling and management of this is set out in section 9 of the Financial Regulations. The Parish Council does not have a receipt book.	Payments due are invoiced and payments received in cash or cheque are receipted. Invoices encourage direct transfer payment.
9	Reporting and Auditing	Information communication	M	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.	Review Controls required to ensure prompts in place to receive information. Currently (ii) not completed.
10	All Costs & expenses Debts	Goods not supplied but billed	L	All goods are authorised on the Schedule of Payments. Goods received at Parish Meeting Rooms and not other addresses where the Clerk/RFO or employees can verify receipt of goods. Clerk/RFO to query bills for goods/services not received.	Satisfactory
11		Incorrect invoicing	L	All invoices are checked by the Clerk/RFO. Clerk/RFO to handle all invoices in accordance with 6.2 of Financial Regulations.	Satisfactory
12		BACS/Cheque payable incorrect	L	Clerk/RFO confirms all payments against payment request information, e.g. invoices and payroll. For cheques, dual signatory is required and copy of authorisation of payments detailing amounts provided. For BACS, a councillor authorises payments created by the Clerk/RFO.	Satisfactory
13		Loss of stock	L	The Parish Council may hold consolidated stock	Review Current Financial Regulations do not account for the management or loss of stock.
14		Unpaid invoices	L	Unpaid invoices for Council goods or services are pursued and where possible, payment is obtained in advance. Terms and methods for payments included on Council invoices.	Satisfactory.

15	Grants and support - payable	Power to pay Authorisation of Council to pay	L	All payments made follow process of authorisation of payment and dual signatory / approval of online payment. Grant Funding Policy to be followed.	Satisfactory Grant Funding Protocols updated 2023.
16	Grants - receivable	Receipts of Grant	L	The Finance and Policy Committee to oversee any terms and conditions of grants received by the Parish Council are satisfied. Currently no regular grants received.	Review of Financial Regulations to consider management of grants received.
17	Charges – rentals receivable	Receipt of rental	L	Allotment and Parish Meeting Room hire should be invoiced and payment pursued as per the invoice payment terms. Rent rates agreed annually by Parish Council.	Satisfactory
18		Insurance implication	M	The Parish Council insures fixtures and fittings at the Parish Meeting Room. New allotment agreements to be implemented to outline tenant liability for allotment damages.	Satisfactory. New allotment agreements have been signed by all tenants.
19	Accountability	Work awarded incorrectly	M	The Parish Council to refer to its Financial Regulations and adhere to the requirements for the award of contracts. Advice to be sought from Contract Finder / Crown Commercial Services or other appropriate external source if needed,	Satisfactory
20		Overspend on services/depletion of reserves	M	RFO to provide recommendations / report on budget availability in line with Financial Regulations Section 3.	Satisfactory
21	Salaries and associated costs	Salary paid incorrectly Wrong rate paid Wrong deductions of NI or Tax Unpaid Tax & NI contributions to the Inland Revenue	L L L L	Salary agreed and banking standing order authorised where appropriate for employees. Payroll completed by 3 rd party and provides Yellow Book Returns / P32 report for verification of NIC and Tax calculations. Clerk/RFO confirms quarterly HMRC payments with payroll provider.	Satisfactory
22	Workplace pension	Lack of adequate provision	L	Payroll provider undertakes auto-enrolment process on Parish Council instruction. NEST pension provided for employees.	The council provides the minimum pension contribution required.
23	Employees	Loss of key personnel/difficulty in retaining Staff Not enough hours for role	M	Vacancy would be advertised widely. Cover would be organised by other employees. Hours reviewed on at least an annual basis. Review of staff responsibility in cases of high staff turnover.	Review Annual appraisals with ad hoc meetings to provide direct response to issues and retain staff.
24		Fraud by staff	L	Limited cash handled and adequate procedures in place. 2 councillors sign cheques/authorise invoices. Bank balances reported quarterly, statements available for inspection, checked and signed by two councillors. Expenses evidenced by invoice/receipt.	Satisfactory

25	Councillor allowances	Councillors over-paid	L	No allowances are allocated to Parish Councillors.	No procedure required
26	Election costs	Risk of an election cost	L	Known elections budgeted for through reserves. By-Elections to be provided from contingency budget	Officers and Councillors to monitor budget and reserves throughout the year to ensure adequate funding available if required.
27	VAT	Re-claiming/charging	L	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.	VAT reclaimed quarterly.
28	Annual Return	Submit within time limits	L	Annual Return is completed and signed by the Parish Council, submitted to an internal auditor for completion and signing then checked and sent on to the External Auditor, any issues with providing the return within the deadline to be managed directly with the SAAA-appointed external auditor.	Satisfactory The Clerk is notified by the Internal Auditor to begin booking AIAR which triggers YE process booking with RBS.
29	Legal Powers	Illegal activity or payments	L	All activity and payments within the powers of the Parish Council to be resolved and minuted at Full Council Meetings.	Satisfactory
30	Minutes / Agendas / Notices / Statutory Documents	Accuracy and legality	L	Minutes and agenda are produced in accordance with Standing Orders by the Clerk and adhere to the legal requirements. Minutes are approved and signed at the next Council meeting. Minutes and agenda are displayed and retained according to the legal requirements	Satisfactory
31		Business conduct	L	Business conducted at Council meetings is managed by the Chairperson. Training available for new councillors with NCalc to outline expectations regarding conduct of business.	Satisfactory
32	Members interests	Conflict of interest	L	The Declaration of Interests by members at a meeting reminds Councillors of their duty and should remain on the agenda.	Satisfactory
33		Register of Members interests	M	Members have a duty to update their individual Register of Interests, criminal penalties enforceable to deter non-completion.	All registers of interest present and updated with Democratic Services as needed.
34	Insurance	Adequacy	L	An annual review is undertaken (before the time of the policy renewal in April) of all insurance arrangements in place. Risk assessments completed as required. Managed in accordance with Section 14 of Financial Regulations.	Review Comparable quotes not obtainable as the Council does not hold sufficiently up-to-date valuation information.
35		Cost	L	Employers and Employee liability insurance is a necessity and must be paid for. Financial Regulations Section 14.	Review Parish Council may consider obtaining comparative quotes at time of renewal.

36	Data protection	Loss or theft of personal data GDPR Freedom of Information	M	The Parish Council is registered with the Information Commissioner, registration reference Z6162100, expiring 6 th March 2023. Policies for data protection, document retention, freedom of information and a privacy notice have been adopted and published.	General Data Controller information and log introduced 2023. FOI and SAR information pages and forms updated on website. Registration with ICO auto-renews.
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2024-25 Meeting Calendar

JANUARY		FEBRUARY		MARCH		APRIL		MAY		JUNE		JULY		AUGUST		SEPTEMBER		OCTOBER		NOVEMBER		DECEMBER			
01	S	01	S	01	S	01	S	01	W	01	S	01	M	01	T	01	S	01	T	01	F	01	S		
02	T	02	S	02	S	02	W	02	T	02	S	02	T	02	F	02	M	02	W	02	W	02	S	02	M
03	F	03	M	03	M	03	T	03	F	03	M	03	W	03	W	03	S	03	T	03	T	03	S	03	T
04	S	04	T	04	T	04	F	04	S	04	T	04	T	04	T	04	S	04	W	04	F	04	M	04	W
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06	M	06	T	06	T	06	S	06	M	06	T	06	S	06	S	06	T	06	F	06	S	06	W	06	F
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31	W		31	S	31	T	31	F			31	W	31	W	31	S			31	T			31	T	