

MINUTES OF A MEETING OF KINVER PARISH COUNCIL HELD ON WEDNESDAY 2ND MAY 2018 AT THE COUNCIL OFFICES AT 95 HIGH STREET, KINVER

PRESENT: Councillors H Williams (Chairman), Mrs D Geoghegan, Mrs C Allen, N Other, IG Sadler, E Simmons, G Mander, JK Hall, J Cutler.

OPENING PRAYERS - Andrew Stilton led the Council in prayer.

72/18. ELECTION OF CHAIRMAN OF THE PARISH COUNCIL FOR THE COUNCIL YEAR 2018/19.

There were 2 nominations for Chairman for 2018/19, Councillor H Williams and Councillor JK Hall. A vote was duly taken and there were 5 votes for Councillor H Williams and 4 votes for Councillor JK Hall, therefore Councillor H Williams was duly elected to the position of Chairman and signed his declaration of acceptance of office.

73/18. APPOINTMENT OF VICE-CHAIRMAN OF THE PARISH COUNCIL FOR THE COUNCIL YEAR 2018/19.

There were 2 nominations for Vice-Chairman for 2018/9, Councillor Mrs L Hingley and Councillor Miss V Webb. A vote was duly taken and there were 9 votes for Councillor Miss V Webb and no votes for Councillor Mrs L Hingley, therefore Councillor Miss V Webb was duly elected to the position of Vice-Chairman, as she had submitted her apologies for the meeting she will sign her declaration in front of the Clerk before the next meeting.

74/18. VOTE OF THANKS TO THE OUTGOING CHAIRMAN AND VICE-CHAIRMAN.

The Chairman Councillor H Williams led a vote of thanks to Councillor Mrs L Hingley as Vice Chairman and thanked all Councillors and staff for their support for the past 12 months.

75/18. APOLOGIES FOR ABSENCE

Councillors Mrs L Hingley, BR Edwards, Miss V Webb (Vice-Chairman), P Wooddisse, D Light and D Hadlington were not in attendance due to other commitments.

76/18. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

None were declared.

77/18. MINUTES OF THE PREVIOUS MEETINGS

The Minutes of the meeting held on 4th April 2018, having been circulated in advance of the current meeting, were approved and signed as a true record of the proceedings at that meeting.

78/18. PUBLIC PARTICIPATION

For note: The public participation is for the public to address the Parish Council on matters that they wish to. The Parish Council cannot comment or resolve action on any points raised at this time. If the item requires information being sent from the Council, the Clerk will do this following the meeting. If it is a matter for further discussion it may be added to a future agenda.

Standing orders were raised to enable members of the public to speak.

Mr and Mrs Barlow addressed the Parish Council to ask for an update in relation to the Burgess and Mill House potential developments.

The Clerk informed them that a planning application from the District Council had not yet been received, the Parish Council will discuss the application at its Planning Meeting which is held the last Wednesday of the month. If the application is received in time it will be taken at its meeting on the 30th May.

The public may attend the Planning meeting, and can talk to members before the meeting starts at 6.30pm.

The Committee then decide on a response to the applications i.e. Recommend Approval or refusal and set out the grounds for this recommendation. This then comes to the Parish Council at its next meeting (the first Wednesday of the month) where the whole Council vote to agree the recommendation from the Committee.

The agendas and minutes are published on the Parish Council website a week before the meetings take place.

Standing orders were re-instated.

79/18. COMMITTEE REPORTS

Planning & Development Committee Meeting of the 25th April

The minutes of the above meetings, having been circulated, were **Received**, and the following recommendations made to the Council:-

- * the planning recommendations as set out in agenda item 5 are sent to the District Council
- * the proposed site development at Hyde Lane is discussed further at the May meeting.

The recommendations were approved for the decisions of the planning applications, and members if they have any additional comments to make re the Hyde Lane development to forward them to the Clerk. Members were also informed that the developer had agreed if needed he would come out again to talk to members if they so wished.

Finance and General Purposes Committee Meeting of the 18th April

The minutes of the above meetings, having been circulated, were **Received**, and the following recommendations were made to the council:-

- the accounts as set as Appendix 1 to these minutes be accepted.
- to accept the Internal Auditors report for 2017/18
- to agree to fund the Youth Café room hire for a further 26 weeks at a cost of £780.
- as the land on the corner of Church Hill and Cookley Lane is not owned by the Parish Council, the Parish Council should not engage any contractors to improve it, it is the

responsibility of the County Council who are the landowners to clear and maintain the site. If a community group or volunteers wish to tidy it they can do so at their own risk.

- to transfer the underspend on the budget of £9235.75 (the actual bank balance is £8133.42, this figure includes VAT on the bills paid in March hence the approximate difference of 20%) is transferred into the West Bromwich Building Society.

The above recommendations were agreed.

80/18. REVIEW OF DELEGATION ARRANGEMENTS TO COMMITTEES, SUB-COMMITTEES, EMPLOYEES AND OTHER LOCAL AUTHORITIES. –NO DELEGATION IS ALLOWED WITHOUT PERMISSION FOR EACH CASE FROM THE PARISH COUNCIL.

The Parish Council only gives delegated Authority to Committees for specific special reasons, i.e. each year to Finance to allow them to authorise cheques for payment and to authorise the Planning Committee to send their recommendations directly to District as the Parish Council does not meet in August. This was noted and agreed.

81/18. REVIEW OF THE TERMS OF REFERENCES FOR COMMITTEES.

Leisure and Amenities Committee

The Parish Council has set the following terms of reference for the Committee –

- The Committee shall be an Advisory Committee without powers to make resolved decisions.
- It shall have a maximum of 3 co-opted members of the public as members of the Committee with full voting rights, these to be elected at the first AGM and remain on the Committee for the life of that Council (4 years)
- The Committee is to address issues of the maintenance, management and development of the existing play area and for child/youth recreational facilities and to develop, and where appropriate, manage and maintain schemes for enhancement of the local environment.
- The Committee is to address issues relating to the Public Rights of Way in the Parish of Kinver and liaise with SCC ROW Dept.
- Number on Committee - Chairman of Council (Ex-Officio), Chairman and Vice Chairman of the Committee and up to 7 other Councillors.

Finance and General Purposes Committee

The Parish Council has set the following terms of reference for the Committee –

- The Committee shall be an Advisory Committee without powers to make resolved decisions unless these are given for a specific reason by the full Parish Council.
- It shall have no members of the public as members of the Committee.

- The Committee is to address issues relating to all financial aspects of the Council finances and any other General Purposes that are forwarded to the Committee from the Parish Council.
- Number on Committee - Chairman of Council (Ex-Officio), Chairman and Vice Chairman of the Committee and up to 7 other Councillors.

Planning and Development Committee

The Parish Council has set the following terms of reference for the Committee –

- The Committee shall be an Advisory Committee without powers to make resolved decisions. It can make recommendations relating to planning matters to the Parish Council.
- It shall have no members of the public as members of the Committee.
- The Committee is to address issues relating to Planning applications in the Parish of Kinver and consultations relating to neighbouring Authorities.
- Number on Committee Chairman of Council (Ex-Officio), Chairman and Vice Chairman of the Committee and up to 7 other Councillors.

Personnel Committee

The Parish Council has set the following terms of reference for the Committee –

- The Committee has powers to make some resolved decisions on minor staffing issues, major issues are referred back to the full Parish Council.
- It shall have no members of the public as members of the Committee.
- The Committee is to address issues concerning Staffing related issues.
- Number on Committee - Chairman of Council (Ex-Officio), Vice Chairman of the Council, Chairman of Finance Committee, Chairman of Leisure and Amenities and the Chairman of Planning.

This was noted.

82/18. COMMITTEE MEMBERSHIP

	Chairman of Council	Henry Williams
	Vice Chairman of Council	Virginia Webb
PLANNING	Chairman	Christine Allen
	Vice Chairman	Julian Hall
	Committee	Virginia Webb Edmund Simons Paul Wooddisse

		Nick Other
FINANCE	Chairman	Dudley Light
	Vice Chairman	Paul Wooddisse
	Member	Henry Williams Ian Sadler Christine Allen Julian Hall Virginia Webb Brian Edwards
LEISURE & AMENITIES	Chairman	John Cutler
	Vice Chairman	Virginia Webb
	Member	Lin Hingley Denise Geoghegan Christine Allen Paul Wooddisse Nick Other
PERSONNEL	Chairman of Parish Council Vice Chair of PC Chair of Finance Chair of L & A Chair of Planning	Henry Williams Virginia Webb Dudley Light John Cutler Christine Allen

All appointments were noted.

83/18. CHEQUE SIGNATORIES AND WORKING PARTIES

1. Works to 95 High Street Working Party (5 members)

Current members – HH William's (Ex-Officio), D Light, Mrs L Hingley, JK Hall, Mrs D Geoghegan

2. Tree Wardens Party

Councillors JK Hall and E Simmons

3. Cheque Signatories General

Chairman of Council, Chairman of Finance and Clerk with any 2 to sign

4. Building Society Signatories (4 members plus Clerk)

Cllrs D Light, JK Hall, Mrs L Hingley and H William's and Clerk

This was noted and agreed.

84/18. APPOINTMENT OF ANY NEW COMMITTEES, CONFIRMATION OF THE TERMS OF REFERENCE, THE NUMBER OF MEMBERS (INCLUDING, IF APPROPRIATE, SUBSTITUTE COUNCILLORS) AND RECEIPT OF NOMINATIONS TO THEM.

Any new committees may be discussed and formed at this point. None were created.

85/18. REVIEW STANDING ORDERS AND FINANCIAL REGULATIONS.

Financial Regulations and revised Standing orders as attached as appendix 2 to these minutes are issued to all members of Council and were agreed.

This was noted.

86/18 REVIEW OF INVENTORY OF LAND AND ASSETS INCLUDING BUILDINGS AND OFFICE EQUIPMENT.

List of assets as per the Insurance Schedule:-

Fixed assets list

Community Assets

15 Daneford Gardens - Park

16 Jubilee Gardens - Park

17 Comber Ridge Burial Ground and Garden Of Remembrance

Fixed assets as at 31st March 2018

	2016	2017	2018
CONTENTS 95 HIGH STREET	£12,139.45	£12,260.84	12628.66
CLOCK SHELTER	£42,015.81	£42,435.97	43709.05
DOG BINS / 14 BINS	£2,182.28	£2,204.10	2270.22
BENCHES / SEATS	£11,674.00	£11,791.03	12144.76
BUS SHELTERS	£5,354.46	£5,387.80	5549.43
NOTICE BOARDS	£2,800.00	£2,828.00	2912.84
WAR MEMORIAL	£40,654.61	£41,061.16	42292.99
MAINTENANCE MACHINERY	£3,768.00	£3,805.69	3919.86
CHAIRMAN'S BADGE AND CHAIN	£3,245.40	£3,277.85	3376.19
S HARRIS CUP AND BOARD	£1,514.38	£1,529.52	1575.41
VILLAGE SIGNS	£4,351.75	£4,395.27	4527.13
FLASHCAM	£7,105.90	£7,176.96	0
CHRISTMAS LIGHTS	£7,490.31	£7,565.21	7792.17
GATES AND FENCES	£10,927.27	£11,036.54	11367.64
PLAY EQUIPMENT	£186,961.10	£188,830.75	194495.62
95 HIGH STREET	£201,353.97	£211,421.67	217764.32
TOILET BLOCK HIGH	£100,674.12	£105,707.83	108879.06

STREET			
TOILET BLOCK			
KINVER EDGE	£45,293.31	£47,557.98	48894.72
GARAGE AND			
STORE COMBER			
RIDGE	£0.00	£16,180.00	16665.4
STONE TROUGHS	£0.00	£1,572.14	1619.3
SPEED SIGNS	£0.00	£0.00	6036
CCTV CAMERA KSCA			
CAR PARK	£0.00	£0.00	2450
	£689,506.12	£728,026.31	£750,870.77

This was noted.

87/18 REVIEW AND CONFIRMATION OF ARRANGEMENTS FOR INSURANCE COVER IN RESPECT OF ALL INSURED RISKS.

The Parish Council Insurance Policy is due for renewal on the 4th June 2018. The Clerk will renew the policy with Zurich for this Financial year and this leaves the new Council in May 2019 to review if they wish to enter into a longer agreement with the insurance Company. This was noted.

88/18 APPOINTMENTS TO OUTSIDE BODIES. - REVIEW OF THE COUNCIL'S AND/OR EMPLOYEES' MEMBERSHIPS OF OTHER BODIES.

1. Kinver Exhibition Foundation (3 Members)

Councillors D Light, Mrs L Hingley and N Other

2. Kinver Sports and Community Association (2 Members)

Councillors N Other and J Cutler

3. National Trust, AGM Meeting representatives (2 Members)

Councillors Mrs C Allen and Mrs L Hingley.

4. Old Peoples Welfare (2 Members)

Councillors Mrs L Hingley and Mrs C Allen

5. Lady Dorothy Grey Foundation (1 Member)

Councillor Mrs L Hingley

6. Twinning Association (2 Members)

Councillor Mrs D Geoghegan and P Wooddisse

7. Walter Holdnall Trust

Councillor N Other

8. Kinver United Charity

Cllr G Mander
Cllr D Light

9. Wolverhampton Airport Consultative Committee

Councillor H Williams

10. Anglo American Society

Councillor Miss V Webb

11. School Committee

3 Councillors and the Chairman (Councillors HH Williams, Mrs C Allen, P Wooddisse and D Light). It was agreed to defer this Committee until it is required.

The Parish Council subscribes on an annual basis to the following organisations:-

ICCM	£ 99.00
Society of Local Council Clerks	£145.00
Local Council review	£ 13.50
Community Council of Staffordshire	£ 22.00
Staffordshire Parish Council's Association	£667.00

This was noted and agreed.

89/18. REVIEWING THE COUNCIL'S COMPLAINTS PROCEDURE.

Kinver Parish Council

1. This Policy sets out procedures for dealing with any complaints that anyone may have about the Kinver Parish Council's administration and procedures. It applies to Kinver Parish Council's employees. Councillors are covered by the Code of Conduct adopted by the Council on May 2002. Complaints against policy decisions made by the Council shall be referred back to Council [but note paragraph 11a of the Council's Standing Orders which says that issues shall not be re-opened for six months].
2. If a complaint about procedures or administration as practised by the Council's employees is notified orally to a Councillor or the Clerk to the Council, they should seek to satisfy the complaint fully. If that fails, the complainant should be asked to put the complaint in writing to the Clerk to the Council and be assured that it will be dealt with promptly after receipt.
3. If the Complainant prefers not to put the complaint to the Clerk to the Council he or she should be advised to put it to the Chairman of Council.
4. a) On receipt of a written complaint the Chairman of Council or the Clerk to the Council (except where the complainant is about his or her own actions), shall try to settle the complaint directly with the complainant. This shall not be done without first notifying the person

complained against and giving him or her an opportunity to comment. Efforts should be made to attempt to settle the complaint at this stage.

b) Where the Clerk to the Council or the Chairman of Council/Mayor receives a written complaint about the Clerk to the Council's own actions, he or she shall refer the complaint to the Chairman of Council. The Clerk to the Council shall be notified and given an opportunity to comment.

5. The Clerk to the Council or Chairman of Council shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
6. The Clerk to the Council or Chairman of Council shall bring any written complaint that has not been settled to the next meeting of the Council. The Clerk to the Council shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered an opportunity to explain the complaint orally. (Unless such a matter may be related to Grievance, Disciplinary or Standard Board proceedings that are taking, or likely to take place when such a hearing may prejudice those hearings when the complaint will have to be heard under Exempt Business to exclude any member of the public or the press, or deferred on appropriate advice received).
7. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
8. As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.
9. A Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary. The complaint shall be dealt with at the next meeting after the advice has been received.

This was noted and agreed.

90/18. REVIEWING THE COUNCIL'S PROCEDURES FOR HANDLING REQUESTS MADE UNDER THE FREEDOM OF INFORMATION ACT 2000 AND THE DATA PROTECTION ACT 1998.

The FOI policy is below:-

Under the above recent legislation all local councils are obliged to prepare a scheme specifying council documents, copies of which members of the public may request. Such a scheme has been prepared by Kinver Parish Council and has been approved by the nationally based Information Commissioner. The scheme may be inspected at the Parish Council Offices at 95 High Street, Kinver during normal working hours Monday – Friday 10.00 a.m. – 12.00 p.m. Copies of documents specified in the scheme will be charged at 25p per A4 side.

December 2002

Model code from the ICM was circulated to all members.

The Council pays annually by Direct debit (in October) for registration to the Data Protection Act. This was noted and agreed.

Model Publication Scheme

This model publication scheme has been prepared and approved by the Information Commissioner. It may be adopted without modification by any public authority without further approval and will be valid until further notice.

This publication scheme commits an authority to make information available to the public as part of its normal business activities. The information covered is included in the classes of information mentioned below, where this information is held by the authority. Additional assistance is provided to the definition of these classes in sector specific guidance manuals issued by the Information Commissioner.

The scheme commits an authority:

- To proactively publish or otherwise make available as a matter of routine, information, including environmental information, which is held by the authority and falls within the classifications below.
 - To specify the information which is held by the authority and falls within the classifications below.
 - To proactively publish or otherwise make available as a matter of routine, information in line with the statements contained within this scheme.
 - To produce and publish the methods by which the specific information is made routinely available so that it can be easily identified and accessed by members of the public.
 - To review and update on a regular basis the information the authority makes available under this scheme.
 - To produce a schedule of any fees charged for access to information which is made proactively available.
 - To make this publication scheme available to the public.
 - To publish any dataset held by the authority that has been requested, and any updated versions it holds, unless the authority is satisfied that it is not appropriate to do so; to publish the dataset, where reasonably practicable, in an electronic form that is capable of re-use; and, if any information in the dataset is a relevant copyright work and the public authority is the only owner, to make the information available for re-use under the terms of the Re-use of Public Sector Information Regulations 2015, if they apply, and otherwise under the terms of the Freedom of Information Act section 19.
- The term 'dataset' is defined in section 11(5) of the Freedom of Information Act.
The term 'relevant copyright work' is defined in section 19(8) of that Act.

Classes of Information

Who we are and what we do.

Organisational information, locations and contacts, constitutional and legal governance.

What we spend and how we spend it.

Financial information relating to projected and actual income and expenditure, tendering, procurement and contracts.

What our priorities are and how we are doing.

Strategy and performance information, plans, assessments, inspections and reviews.

How we make decisions.

Policy proposals and decisions. Decision making processes, internal criteria and procedures, consultations.

Our policies and procedures.

Current written protocols for delivering our functions and responsibilities.

Lists and Registers.

Information held in registers required by law and other lists and registers relating to the functions of the authority.

The Services we Offer.

Advice and guidance, booklets and leaflets, transactions and media releases. A description of the services offered.

The classes of information will not generally include:

- Information the disclosure of which is prevented by law, or exempt under the Freedom of Information Act, or is otherwise properly considered to be protected from disclosure.
- Information in draft form.
- Information that is no longer readily available as it is contained in files that have been placed in archive storage, or is difficult to access for similar reasons.

The method by which information published under this scheme will be made available

The authority will indicate clearly to the public what information is covered by this scheme and how it can be obtained.

Where it is within the capability of a public authority, information will be provided on a website. Where it is impracticable to make information available on a website or when an individual does not wish to access the information by the website, a public authority will indicate how information can be obtained by other means and provide it by those means.

In exceptional circumstances some information may be available only by viewing in person. Where this manner is specified, contact details will be provided. An appointment to view the information will be arranged within a reasonable timescale.

Information will be provided in the language in which it is held or in such other language that is legally required. Where an authority is legally required to translate any information, it will do so.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Charges which may be made for Information published under this scheme

The purpose of this scheme is to make the maximum amount of information readily available at minimum inconvenience and cost to the public. Charges made by the authority for routinely published material will be justified and transparent and kept to a minimum.

Material which is published and accessed on a website will be provided free of charge.

Charges may be made for information subject to a charging regime specified by Parliament.

Charges may be made for actual disbursements incurred such as:

- photocopying
- postage and packaging
- the costs directly incurred as a result of viewing information

Charges may also be made for information provided under this scheme where they are legally authorised, they are in all the circumstances, including the general principles of the right of access to information held by public authorities, justified and are in accordance with a published schedule or schedules of fees which is readily available to the public.

Charges may also be made for making datasets (or parts of datasets) that are relevant copyright works available for re-use. These charges will be in accordance with the terms of the Re-use of Public Sector Information Regulations 2015, where they apply, or with regulations made under section 11B of the Freedom of Information Act, or with other statutory powers of the public authority.

If a charge is to be made, confirmation of the payment due will be given before the information is provided. Payment may be requested prior to provision of the information.

Written Requests

Information held by a public authority that is not published under this scheme can be requested in writing, when its provision will be considered in accordance with the provisions of the Freedom of Information Act.

KINVER PARISH COUNCIL

Jennifer S Cree
Clerk to the Council
95 High Street,
Kinver
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DY7 6HD



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Telephone: 01384-873878

Safeguarding Children and Adults Policy

Policy Statement

Everyone has a duty to safeguard children, young people and those adults with care and support needs who are or may be at risk of abuse or neglect (referred to in this policy as 'adults at risk').

(Insert) Parish Council is committed to Ensuring that children and adults are protected and kept safe from harm whilst they are engaged in any activity associated with the Parish Council.

Policy Objective:

- To protect and promote the welfare of children and adults at risk using or receiving services provided by or commissioned by x council and to be able to respond where appropriate as a local government organisation.

Definitions:

Safeguarding

- Essentially, protecting children and adults at risk from ill-treatment and harm

Abuse:

- Forms of ill treatment, including neglect. Somebody may abuse a child or adult by inflicting harm, or by failing to act to prevent harm.
- The most common types of abuse are physical, emotional, sexual abuse and neglect

Children & Young People

- Anyone under the age of 18 years.

Adult: An adult who –

- Has needs for care and support (whether or not the local authority is meeting any of those needs),
- Is experiencing, or is at risk of, abuse or neglect, and
- As a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

Employees, Parish Councillors and Contractors

- Anyone working for, or on behalf of (Insert) Parish Council, whether paid or voluntary.

Taking responsibility for Safeguarding

Councillors, employees and volunteers may notice something which causes them concern when out and about in the district. It is not our role to investigate any signs of abuse. However we do have a responsibility to act if we have any concerns and alert those who can look into those issues.

To take responsibility for safeguarding x council will:

- Identify someone within the parish council who will take lead responsibility for Safeguarding, ensuring that councillors and employees understand what safeguarding means, what to look out for and how to pass on any concerns
- Follow safe recruitment practices, including application forms, references and induction
- Identify and meet training needs for those councillors and employees who come into contact with children and adults at risk
- Ensure that councillors and employees who come into regular unsupervised contact with children and adults at risk during the course of their duties to undergo appropriate Disclosure & Barring Service (DBS) checks
- Require external organisations working with or on behalf of the council who have contact with children and adults at risk to have a Safeguarding Policy and procedures

- Ensure that where x council hires facilities to external groups for use with children and adults at risk and parents/ carers are not present the group will have their own Safeguarding policies or agree to work to those of x council

Councillors, employees and volunteers should be concerned by any behaviour, action or inaction which harms a child or adult at risk. If they are unsure whether this needs to be reported as a safeguarding concern they should seek the advice of the person within the Parish Council with lead responsibility.

Contact information for making a referral regarding a safeguarding concern

For all child protection issues contact Staffordshire County Council's
First Response Team based at the MASH on

0800 1313 126

(Between 8.30am and 5pm Monday to Thursday and 8.30am and 4.30 pm on a Friday)

Or via a brief e-mail

first@staffordshire.gov.uk

To make an Adult Protection referral advice should be sought from the
Adult Protection Contact Centre

0345 604 2719

(Between 8.30am and 5pm Monday to Thursday and 8.30am and 4.30 pm on a Friday).

Outside of office hours

Any concerns relating to a child or adult at risk of abuse and neglect should be directed to
Staffordshire County Council

**Emergency Duty Service on
0345 604 2886.**

Alternatively contact

Staffordshire Police Central Referral Unit on

101

Or dial

999 in an emergency.

It was agreed to adopt this policy and members were asked to undertake the Safe Guarding Training , the Clerk would be the lead on this policy.

92/18 ESTABLISHING OR REVIEWING THE COUNCIL'S POLICY FOR DEALING WITH THE PRESS/MEDIA

The Parish Council has a policy that only the Chairman and the Clerk may deal with the press. All members of the Council may talk to the press if they so wish, but can only express their opinion, they cannot speak on behalf of the Parish Council.

KINVER PARISH COUNCIL - MEDIA POLICY

Introduction

1. Kinver Parish Council ("the Council") is committed to the provision of accurate information about its governance, decisions and activities. Where this information is not available via the Council's publication scheme, please contact the Council's clerk or, in his absence, **the Chairman**.
2. The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet ("the media").
3. This policy explains how the Council may work with the media to meet the above objectives in accordance with the legal requirements and restrictions that apply.

Legal requirements and restrictions

4. This policy is subject to the Council's obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972, the Local Government Act 1986, the Freedom of Information Act 2000, the Data Protection Act 1998, other legislation which may apply and the Council's standing orders and financial regulations. The Council's financial regulations and relevant standing orders referenced in this policy are available via the Council's publication scheme.
5. The Council cannot disclose confidential information or information the disclosure of which is prohibited by law. The Council cannot disclose information if this is prohibited under the terms of a court order, by legislation, the Council's standing orders, under contract or by common law. Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the code of conduct adopted by the Council, a copy of which is available via the Council's publication scheme.

Meetings

6. A meeting of the Council and its committees is open to the public unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest due to the confidential nature of the business or other special reason(s) stated in the resolution. In accordance with the Council's standing orders, persons may be required to leave a meeting of the Council and its committees, if their disorderly behaviour obstructs the business of the meeting.

7. Where a meeting of the Council and its committees include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council's standing orders.

8. The photographing, recording, filming or other reporting of a meeting of the Council and its committees (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) paragraphs 9 and 10 below apply.

9. The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or committee meeting is not permitted unless an adult responsible for them has given permission.

10. Oral reporting or commentary about a Council or committee meeting by a person who is present at the meeting is not permitted.

11. The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting and for telephoning their report at their own expense.

12. The Council's standing orders will confirm if attendance by the public, their participation, photographing, recording, filming or other reporting is permitted at a meeting of a sub-committee. Members of the public that wish to film need to complete a form with their details on as a record of the filming.

Other communications with the media

13. This policy does not seek to regulate councillors in their private capacity.

14. The Council's communications with the media seek to represent the corporate position and views of the Council. If the views of councillors are different to the Council's corporate position and views, they will make this clear.

15. The Council's Clerk, or in his absence, Chairman may contact the media if the Council wants to provide information, a statement or other material about the Council.

16. Subject to the obligations on councillors not to disclose information referred to in paragraph 5 above and not to misrepresent the Council's position, councillors are free to communicate their position and views.

This was noted and agreed.

93/18. MEMBERS TO REVIEW THEIR DISCLOSABLE INTERESTS.

All members were circulated with their register of interest, and no member had any amendments. Any amendments to be forwarded to the Clerk.

94/18. SCHEDULE OF MEETINGS FOR 2018/19

The draft schedule of meetings for 2018/19 was presented to members below and agreed.

2018/2019	PARISH COUNCIL	LEISURE AND AMENITIES	FINANCE & GENERAL PURPOSES	PLANNING AND DEVELOP.
MAY 2018	2#	9	23	30
JUNE 2018	6	20		27
JULY 2018	4		18	25
AUGUST 2018				29
SEPT 2018	5	12	19	26
OCT 2018	3			24
NOV 2018	7	14	21	28
DEC 2018	5			12
JAN 2019	9	16		30
FEB 2019	6		20	27
MARCH 2019	6 ##	20		27
APRIL 2019	3		17	24
MAY 2019	15 #		22	29
JUNE 2019	5	12		26
JULY 2019	3		24	31
AUGUST 2019				28
SEPT 2019	4	11	18	25
OCT 2019	2			30
NOV 2019	6	13	20	27
DEC 2019	4			11

All meetings to be held on Wednesdays. Planning and Development Committee and Finance meetings marked with a ** to be given delegated authority to send off planning recommendations (Planning) and agree accounts payable (Finance) due to no meeting in August.

This was noted and agreed.

95/18. Parish Clock – report from Cllr P Wooddisse

Deferred to the next meeting.

96/18. MATTERS ARISING FROM PREVIOUS MINUTES

The Clerk reported that Dr Mark Hopkin prior to this meeting started made a presentation to members to explain the proposals of merging the 2 Moss Grove Surgery practices.

He presented a summary document for all members to have a copy of to read in more depth.

He asked for the support of both the individual members of the community and Council (by completing an online questionnaire, but also for a letter of support from the Parish Council for the merger. Members agreed that the Clerk write a letter of support to Dr Mark Hopkins, at Moss Grove Surgery.

97/18. OUTSTANDING MATTERS FROM THE DISTRICT / COUNTY AND COUNTY / DISTRICT COUNCILLORS TO ADDRESS THE COUNCIL ON ANY MATTERS RELEVANT TO THE PARISH

Councillor Mrs V Wilson reported that:-

- She had attended the public meeting in Kinver re the merger of the Doctors surgery, she urged members to complete the online questionnaire.
- She has been dealing with a problem where a resident has put railway sleepers around the boundary of their property on Birds Barn Lane, they have been informed that they need to move them from the Highway.
- Parking camera van – this scheme as previously reported is operating in Dudley. She has been investigating getting this in South Staffordshire. At present the scheme is operating in Stoke with the support and part funding from the Police Crime Commissioner fund. She has contacted Cabinet Member Mark Deaville and he is supportive of the scheme but would like it trialled on a smaller scale initially. She has also spoken to the other 7 County Councillors who would be willing to support a future scheme.

Initially she is looking at costing to purchase a camera, and will bring this back to the Parish Council to discuss the possibility of the use of the Parish Council vehicle around the Parish as a trial. The legislation side also needs to be discussed.

She has been in discussion with the schools about creating further parking for parents in the curtilage of the school site at the rear of properties of Hyde Lane. As if people are penalised for parking inappropriately then a space needs to be provided for them to park...

- She has been in discussions with the Canals and Rivers Trust over the state of the canal towpaths. Members suggested she contact their Chairman Peter Mathews who lives in the village. This has been put on the agenda for the next Leisure and Amenities Committee.
- She attended a meeting with local residents and Cllr Miss V Webb re pedestrians walking down Church Hill. Legally there is no way any pavements can be mark out for people to walk down the road due to the road width. Warning signs are in place, and they are looking at trying to improve the surface of The Holloway to encourage people to walk down this road instead. It cannot be pedestrianised as it has vehicular access for a property up there. There is also issue of the land being unstable in that area and there are many rock falls etc. happening. Again costs are being sought to improve the road surface of The Holloway.

98/18. REPORT OF THE OUTGOING CHAIRMAN

The Chairman reported that the Civic Service had been well attended. He asked for permission on behalf of the British Legion to place 2 x silent soldiers either side of the war memorial on Jubilee Gardens.

Members agreed that they may locate the soldiers, however they must be firmly fixed into the ground and insured by the British Legion against theft or vandalism. They are located on the gardens at the risk of the British Legion.

99/18. CLERK'S REPORT

The Clerk reported on the following matters –

Financial Requests

Grant request from KSCA for £500 towards refurbishment of the KSCA Bar
CAB Grant requests

Both requests were referred to Finance.

Publications to note

Nalc LTN8 Elections note
NALC LTN5 Parish and Community Council Meetings
NALC LTN1 Council's powers to discharge their functions
NALC LTN2 The Chairman of Local Councils

100/18. REPORTS FROM MEMBERS ON OUTSIDE BODIES

Councillor Mrs C Allen reported she had attended the Old Peoples Welfare and they would be giving vouchers of £7 per elderly resident. They have enough funds almost to cover the cost of this year's vouchers.

Councillor Mrs D Geoghegan attended the Twinning AGM in January, and had declined an invite to a function being held this evening as she was attending this Parish Council meeting.

101/18. ACCOUNTS FOR PAYMENT

The accounts as set out as appendix 1 to these minutes were accepted

102/18. ITEMS FOR FUTURE MEETINGS

If there are any additional items for the next agenda these need to be with the Clerk by Monday 29th May 2018.

101/18. DATES OF THE NEXT MEETINGS

Planning and Development Committee
Leisure and Amenities Committee
Finance and General Purposes Committee
Parish Council

30th May 2018
9th May 2018
23rd May 2018
6TH June 2018

All meetings to start at 7.00 pm

Appendix 1 to the minutes of the Parish Council Meeting held on the 2nd May 2018

Accounts for payment 2nd May 2018

Chq No Ratification

101095	P & S Contracts	Grass cutting	676.75
101096	BT	Phone and broadband	426.66
101097	ESPO	Supplies - amended chq	614.20
101098	Sage	Annual Support	
101099	Kinver Methodist Church Car		
SO	Park	Car Park Rental	575.00
	Siemens	Franker charges	136.60
		Total	2429.21

Chq No Accounts for payment

101100	Eastern Purchasing		90.23
101101	ICCM	Annual Subs	90.00
101102	J R K Computer supplies		86.86
101103	John Harold	Clock repair	250.00
101104	Kane Mailing	Charges fro Franker	196.80
101105	Kinver Edge Farm Shop	Opening toilets May	100.00
101106	Npower	Christmas Lights	58.51
101107	OCL	Supplies	146.19
101108	Petty Cash		43.48
101109	Rutelle	Audit costs	450.00
101110	SCC	Pensions	1797.71
101111	South Staffs Water	Water rates Office	25.82
101112	South Staffs Water	Water rates for 5 months toilets	80.11
101113	SWOPS	Fuel account	
101114	Viking Direct	Stationary	41.68
101115	Water Plus	Office waste water	85.19
		3542.58	

List of Monthly Direct Debits

DD	Inland Revenue	April	1243.87
DD	Utility Warehouse	Garage electricity	11.12
DD	Utility Warehouse	95 High Street Gas and electricity	277.44
DD	Utility Warehouse	Kinver Edge Toilets	10.20
DD	Utility Warehouse	High Street Toilets	23.37
DD	Salaries	May	4914.21
DD	Screwfix	Supplies	58.53
DD	Midshires		390.12
		Total	6538.74
		Total Expenditure	12510.53

Receipts

Police Office rent	1000.00
Toilet Income	60.00
Precept	72354.50

Total Income 73414.50



KINVER PARISH COUNCIL

Standing Orders

Adopted 2nd May 2018



National Association of Local Councils (NALC)
109 Great Russell Street
London
WC1B 3LD

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<u>1. RULES OF DEBATE AT MEETINGS</u>	26
<u>2. DISORDERLY CONDUCT AT MEETINGS</u>	27
<u>3. MEETINGS GENERALLY</u>	28
<u>4. COMMITTEES AND SUB-COMMITTEES</u>	31
<u>5. ORDINARY COUNCIL MEETINGS</u>	32
<u>6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES</u> 33	
<u>7. PREVIOUS RESOLUTIONS</u>	34
<u>8. VOTING ON APPOINTMENTS</u>	34
<u>9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER</u>	34
<u>10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE</u> ...	35
<u>11. MANAGEMENT OF INFORMATION</u>	36
<u>12. DRAFT MINUTES</u>	36
<u>13. CODE OF CONDUCT AND DISPENSATIONS</u>	37
<u>14. CODE OF CONDUCT COMPLAINTS</u>	38
<u>15. PROPER OFFICER</u>	38
<u>16. RESPONSIBLE FINANCIAL OFFICER</u>	40
<u>17. ACCOUNTS AND ACCOUNTING STATEMENTS</u>	40
<u>18. FINANCIAL CONTROLS AND PROCUREMENT</u>	41
<u>19. HANDLING STAFF MATTERS</u>	42
<u>20. RESPONSIBILITIES TO PROVIDE INFORMATION</u>	43
<u>21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION</u>	43
<u>22. RELATIONS WITH THE PRESS/MEDIA</u>	43
<u>23. EXECUTION AND SEALING OF LEGAL DEEDS</u>	44
<u>24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS</u>	44
<u>25. RESTRICTIONS ON COUNCILLOR ACTIVITIES</u>	44
<u>26. STANDING ORDERS GENERALLY</u>	44

INTRODUCTION

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

HOW TO USE MODEL STANDING ORDERS

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

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

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

DRAFTING NOTES

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

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

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

RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or

- v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (4) minutes without the consent of the chairman 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 chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

MEETINGS GENERALLY

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice** OR [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 chairman 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 chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the chairman of

the meeting.

- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**

- p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

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

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

- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**

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

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

v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

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

- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
-
- x A meeting shall not exceed a period of (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;
 - 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 (2) days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three or a quorum of the total number of members;
 - 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 7.00pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his**

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

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

EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

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

- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the chairman of a committee does not call an extraordinary meeting within (5) days of having been requested to do so by (3) members of the committee, any (3) members of the committee may convene an extraordinary meeting of the 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 (5) 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 Council has adopted a first past the post system, and if the vote is tied the position is decided with the flip of a coin.

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 (7) 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 (7) clear days before the meeting.

- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

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 chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct

record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council’s code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; 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 at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
- i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area; 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 Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

PROPER OFFICER

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:

- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least (6) days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also standing order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Chairman or in his / her absence Vice-Chairman Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of 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 andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 1 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 in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

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

HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of Personnel committee is subject to standing order 11.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of Council / Personnel if he/she is not available, the vice-chairman of absence occasioned by illness or other reason and that person shall report such absence at its next full Council meeting.
- c. The chairman of the Council / Personnel committee or in his/her absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Personnel 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 chairman of the Council / Personnel in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Personnel committee.
- e. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the member of staff relates to the chairman or vice-chairman of the Council this shall be communicated to another member of the Personnel committee, which shall be reported back and progressed by resolution of Personnel 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.
- b The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

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

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), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

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 (5) councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.