

**BROUGHTON ASTLEY
PARISH COUNCIL**

**STANDING
ORDERS**

VERSION 6 (DECEMBER 2016)

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1 Meetings

Mandatory for full Council meetings ●

Mandatory for committee meetings ●

Mandatory for 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 **When calculating the three clear days for notice of a meeting to councillors and the public, 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 shall not count.**
- c **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.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e The period of time which is designated for public participation [in accordance with standing order 1(d) above] shall not exceed 30 minutes.
- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes. Where there is a group of members of the public wishing to make similar representations, ask similar questions or give similar evidence, the group may appoint one representative to speak on its behalf.
- g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j A person shall raise his hand when requesting to speak and wait for the Chairman to indicate when to speak.
- k Any person speaking at a meeting shall address his comments to the Chairman.

- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted without the Council's prior (written) consent.**
- n **In accordance with standing order 1(c) above, the press shall be provided 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 may in his absence be done by, to or before the Vice-Chairman (if any).**
- p **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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 model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- r **The Chairman 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 also standing orders 2 (i) and (j) below.)**
- s **Unless standing orders provide otherwise, voting on any 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 record the names of councillors present and absent.**
- u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- v **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
- w **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also**

- *standing orders 7 and 8 below.)*
- x **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.**
- y **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.**
- z Meetings shall not exceed a period of two hours.

2 Annual and 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 new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 7.30pm**
- 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 directs.**
- e **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting 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 any, 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 been re-elected as a member of the Council, he shall preside at the 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 must give a casting vote in the case of an equality of votes.**
- i Meetings of the Council shall be held on the third Thursday of each month at the Village Hall, Station Road, Broughton Astley at 7.30pm unless the council otherwise decides at a previous meeting.

Exceptions are:

If Easter is late and as a consequence the meeting falls on Maundy Thursday; then the April meeting will be held the previous week.

No meeting of the Council will take place in July

Ideally meetings will not be scheduled to coincide with the Leicestershire schools half term holidays in February and October, unless agreed otherwise by Council.

- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows:
- i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - iv. Review of the terms of references for committees.
 - v. Receipt of nominations to existing committees.
 - vi. 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.
 - vii. Review and adoption of appropriate standing orders and financial regulations.
 - viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back.
 - x. In a year of elections, if a Council's period of eligibility to exercise the General Power of Competence expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
 - xi. Review of inventory of land and assets including buildings and office equipment.
 - xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - xiii. Review of the Council's and/or employees' memberships of other bodies.
 - xiv. Establishing or reviewing the Council's complaints procedure.
 - xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
 - xvi. Establishing or reviewing the Council's policy for dealing with the press/media

- xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

K Order of Business (at ordinary Council meetings)

- i. To read and consider the Minutes provided that, if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read;
- ii. **After consideration to approve the signature of the Minutes by the person presiding as a correct record;**
- iii. **To deal with business expressly required by Statute to be done;**
- iv. To dispose of businesses, if any, remaining from the last meeting and consider progress in completing Parish Council resolutions;
- v. To receive such communications as the person presiding may wish to lay before the Council;
- vi. Public Forum. (**NB:** Limited to no more than thirty minutes and no individual may speak for longer than five minutes in aggregate).
- vii. To receive and consider reports and minutes of committees;
- viii. To receive and consider reports from Officers of the Council;
- ix. To approve monthly financial statements comprising Income and Expenditure accounts and Balance Sheet, in accordance with the Council's Financial Regulations and the relevant local government legislation:
- x. To sign off the Parish Council's monthly bank reconciliations (to be completed by the Chairman or Vice-Chairman).
- xi. To oversee Parish Council procurement, including the obtaining and acceptance of tenders;
- xii. To Consider of all appeals for financial assistance in accordance with the General Power of Competence (2011)
- xiii. To consider and agree the annual budget and Precept submission;
- xiv. To consider motions or recommendations in the order in which they have been notified;
- xv. Any other business specified in the summons.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

- b The Council's Proper Officer shall do the following.
- i. **Sign and serve on councillors by electronic delivery, hand delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least three clear days before the meeting.**
 - ii. **Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least seven clear days before the meeting confirming his withdrawal of it.
 - iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i above.**
 - v. Make available for inspection the minutes of meetings.
 - vi. **Receive and retain copies of byelaws made by other local authorities.**
 - vii. **Receive and retain declarations of acceptance of office from councillors.**
 - viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - ix. Keep proper records required before and after meetings;
 - x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
 - xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
 - xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
 - xiii. Arrange for legal deeds to be sealed using the Council's common seal (*See also model standing orders 14(a) and (b).*)
 - xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
 - xv. Record every planning application notified to the Council and the Council's response to the local planning authority.
 - xvi. Refer a planning application received by the Council to the Chairman of the Planning and Licensing Committee or in his absence the Vice-Chairman; within two working days of receipt to

facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning and Licensing committee.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least seven clear days before the next meeting; and not later than the Thursday of the week before the meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least seven clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or 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 or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.

- iii. To approve the accuracy of the minutes of the previous meeting.
- iv. To correct an inaccuracy in the minutes of the previous meeting.
- v. To dispose of business, if any, remaining from the last meeting.
- vi. To alter the order of business on the agenda for reasons of urgency or expedience.
- vii. To proceed to the next business on the agenda.
- viii. To close or adjourn debate.
- ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xvii. To extend the time limit for speeches.
 - xviii. To exclude the press and public for all or part of a meeting.
 - xix. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xx. To give the consent of the Council if such consent is required by standing orders.
 - xxi. **To suspend any standing order except those which are mandatory by law.**
 - xxii. To adjourn the meeting.
 - xxiii. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxiv. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately
- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding three minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of 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 irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Chairman and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's 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 silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- t In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of Conduct (England)

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b Councillors must within 28 days of election or appointment (where that is later) notify the Monitoring Officer of any Disclosable Pecuniary Interests where such an interest is
 - 1) theirs,

- 2) their spouse's or civil partner's or
- 3) somebody with whom they are living as husband and wife or civil partners and they are aware that that person has the interest

Councillors must within 28 days of becoming aware of any new Disclosable Pecuniary Interest or any change to any such interest, notify the Monitoring Officer in writing.

- c All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- d Where a matter arises at a meeting which relates to a Disclosable Pecuniary Interest, councillors shall not participate in a discussion or vote on the matter and shall leave the room.
- e Councillors only have to declare what their interest is if it is not already entered in the member's register of interests or if they have not notified the Monitoring Officer of it.
- f Councillors with a Disclosable Non-Pecuniary Interest may remain in the meeting, speak and vote on the matter unless to do would compromise their impartiality obligations or any other obligations set out in the Code.
- g Where a matter arises at a meeting which relates to an interest in Disclosable Pecuniary interest, which is a sensitive interest, the councillor shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose that they have an interest but not the nature of it.
- h The Monitoring Officer may grant dispensations for Councillors for one meeting only, on request in writing. Dispensations will only be granted where there are reasonable grounds for doing so and where such grounds are in the public interest.

8 Questions

- a A councillor may seek a written answer to a question concerning any business of the Council provided seven clear days' notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the

minutes shall be raised in accordance with standing order 5(a)(iv) above.

- c Minutes, including any amendment to correct their accuracy, 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 majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10. Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11. Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least five councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12. 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. Any tie may be settled by the Chairman's casting vote.

13. Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated by resolution of the Council and signed by two Members.**

14. Execution and sealing of legal deeds

See also standing order 5(a)(xvi) above

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, the Proper Officer may sign, on behalf of the Council, any document required by law to be issued under seal.**

(The above is applicable to a Council without a common seal.)

15. Committees and sub-committees

See also standing order 1 above

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later

- than the next annual meeting;
- iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer seven days before the meeting that they are unable to attend;
- v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- vi. may in accordance with standing orders, dissolve a committee at any time.
- vii. Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.
- viii. The Chairman and Vice-Chairman shall be ex-officio members of every committee and may attend with the exception of the Scrutiny Committee.

16. Summary of Committee functions

a ADMINISTRATION AND FINANCE COMMITTEE

Members:

Chairman and Vice-Chairman of the Council plus six nominated Councillors, with a quorum of four. The Committee membership may be increased where required in accordance with Standing Order 15a (v), but no Councillor can be a member of both this Committee and the Scrutiny Committee. A member of the Parish Council staff will act as a participatory minute-taker.

The Administration and Finance Committee will meet quarterly, on the first Thursday of the month (excepting Maundy Thursday when Easter falls in early April).

Functions:-

- i. Determine operational policy for all aspects of the Council's business.
- ii. Formulate strategic and action plans for recommendation to Council.
- iii. Formulate objectives, programmes of the Council.
- iv. Consideration of matters having financial implications, including Financial Regulations, Insurance; Management of reserve funds.
- v. Overseeing Standing Orders.
- vi. Dealing with all legal issues.
- vii. Resolving policy and budget issues outside the ***Proper Officer's***

- Parish Manager's delegation.
- viii. Review the level and standards of the service provided, and monitor adherence to the Code of Conduct
 - ix. Review the Parish Council's internal controls as a standing agenda item annually
 - x. Review the Parish Council's Risk Management Policy, Strategy and Risk Register and a report on Risk Management activity as a standing agenda item annually.

b SCRUTINY COMMITTEE

Members:

All Members in office, with the exception of those who are members of the Administration and Finance Committee. Quorum: four. A member of the Parish Council staff will act as a non-participant minute-taker, but in all other respects the Committee will be administered without the support of Council staff to ensure the Committee's independence.

The Scrutiny Committee will meet quarterly on the last Monday in the month

Functions:-

- i. Review the overall efficiency and effectiveness of the Council's work, including appraisal of Parish Council performance, structures, policy and procedures.
- ii. Review and assess public opinion in the Parish regarding the work and services provided.
- iii. Review the results of the completed annual Ward environmental audit and then to make recommendations to Council.
- iv. Monitor all aspects of the Parish Council's business and where appropriate, through specific Investigative Task Panels, undertake detailed investigation of issues, including those referred by Council or other Committees.
- v. Consider the implementation of all internal audit recommendations as part of its ongoing service reviews.
- vi. Undertake the 'mini-audit' of financial transactions, tracing transactions back through the accounting record (to be completed by individual members of the Scrutiny Committee on a 'round robin' basis).
- vii. Act as a Steering Group for all approved Parish Council projects, managed via Project Working Groups.
- viii. Develop training plans for each Councillor and member of staff and monitor their delivery.
- ix. Monitor on a quarterly basis all new resolutions and policies introduced by the Parish Council to ensure compliance with its obligations under Section 17 of the Crime and Disorder Act 1998.

c **PLANNING AND LICENSING COMMITTEE**

Members:

Six nominated Councillors, with a quorum of three. The Committee membership may be increased where required in accordance with Standing Order 38(c). A member of the Parish Council staff will act as a non-participant minute-taker.

The Planning and Licensing Committee will meet once a fortnight every on Monday night.

Functions:-

- i. To receive relevant planning and licence applications from Local Planning and Licensing Authorities and make appropriate resolutions on behalf of the Parish Council. [Parish Council Office to submit a monthly summary of these resolutions to the Parish Council for review.]
- ii. To appraise the enforcement of planning conditions.
- iii. To consider all development control issues, including the Local Development Framework.

d **PERSONNEL SUB-COMMITTEE**

Members:-

The Chair and Vice-Chair of the Scrutiny Committee plus two other Members of the Scrutiny Committee. The quorum will be three Members.

The Personnel Sub-Committee will meet up to three occasions during an administrative year or as requested in order to address a specific staffing issue to determine matters on behalf of the Parish Council.

The Personnel Sub-Committee shall report its recommendations to the next scheduled meeting of the Parish Council for resolution.

Functions:

- i. To undertake the periodic review of personnel policies.
- ii. To hear staff appeals requiring Member level involvement, under national or Council schemes of conditions of service.
- iii. To hear all appeals or investigatory hearings requiring Member consideration including those relating to Complaints, Disciplinary, Sickness Absence, Capability, Grading, Grievance, and Redundancy matters for all staff.
- iv. To consider requests for training and development opportunities for staff and Members which have not been identified in the Business Plan or are outside the limit of delegated authority of the **Proper Officer**.
- v. To resolve any operational problems and to discuss health and

safety, personnel, and other administrative issues that may arise

e **NEIGHBOURHOOD PLAN DELIVERY AND MONITORING GROUP**

Members:-

The Delivery and Monitoring Group will consist of the Chairman, Vice-Chairman, Chair of Planning and 5 Members, with the desire to have each Ward representation by at least one Member. The quorum will be four Members.

The Chairman / Deputy Chairman will chair the monitoring group as ex-officio officers.

Representatives from statutory bodies, community representatives (residents) may also be invited to attend as non-voting members of the group.

Where necessary to deliver specific objectives, individual project groups will be set up. The membership of these project groups also be extended to representatives of statutory bodies, public and community organisations, by invitation.

The Delivery and Monitoring Group will meet on a suitably frequent basis to progress matters in a timely manner. This is expected to be monthly or six weekly but no less than quarterly.

Functions:

To undertake an initial analysis of the objectives and initiatives of the Neighbourhood Plan (using SMART or similar) in order to:

- i. Prioritise the delivery of the objectives and initiatives of the Neighbourhood Plan. (low, medium and high)
- ii. To identify the appropriate legal entity who will take responsibility for delivery of a specific initiative, the point of contact and method of contact.
- iii. Identify the resources required to deliver the objectives and initiatives of the Neighbourhood Plan, relative to c) above, including the long term liability which might arise from such delivery.
- iv. Agree the timescales for the delivery of the objectives and initiatives of the Neighbourhood Plan with the appropriate legal entity.
- v. Identify dependencies on other objectives and initiatives of the Neighbourhood Plan.
- vi. Identify risks to initiatives and propose mitigations to alleviate such risks where possible. A master risk register for the delivery will be maintained and constitute part of the quarterly report to full Council.
- vii. To produce briefing documents for various project groups, external agencies and independent consultants in relation to specific projects or tasks.
- viii. Individual project groups will create their own action plan with timings and provide these to the Delivery & Monitoring group

(D&MG).

- ix. To commission external agencies or independent consultants in order to deliver specific projects or tasks, in light of b) above, up to a value of £15,000.
- x. To commission specific areas of evidence gathering and analysis as required (including residents and business surveys). Such activities may be up to a value of £15,000
- xi. To produce materials, both printed and electronic, used to communicate progress of the delivery of the Plan to residents, businesses and the wider community.
- xii. With reference to b) above, to ensure that sufficient funds are available for the delivery of the Neighbourhood Plan; by investigating alternative sources of funding and completing funding applications.
- xiii. To monitor expenditure and produce a report on funding requirements for Parish Council prior to annual budget and Precept setting.
- xiv. To produce a detailed report 'Updates to the Neighbourhood Plan' at each Annual Parish Council meeting.

17. Extraordinary meetings

See also standing order 1 above

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time within the statutory notice period.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors**
- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two councillors, those two councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by two councillors

18. Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors

19. Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each at each Parish Council Meeting a statement summarising the Council's receipts and payments for the each month and the balances held at the end of a month. This statement should include a comparison with the budget for the financial year.

A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.
- c

20. Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of December.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than November.

21. Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22. Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23. Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

24. Confidential business

- a Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25. General Power of Competence

- a **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b **The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the General Power of Competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.**

26. Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Administration and Finance or Personnel sub-committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Personnel-sub-committee at its next meeting.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman or in his absence, the Vice-Chairman in respect of an informal or formal grievance matter; and this matter shall be reported back and progressed by resolution of the Personnel sub-committee.
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Council's most senior employee (or other employees) relates to the Chairman or Vice-Chairman, this shall be communicated to another member of the Administration and Finance committee, which shall be reported back and progressed by resolution of the Personnel sub-committee.
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to Proper Officer and/or the Chairman of the Council and the Chairman of the personnel sub-committee.

27. Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Administration and Finance committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b) above.

28. Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

29. Liaison 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 councillor of the District and County Council representing its electoral ward.
- b The County Councillor and District Councillors for the Parish shall be invited to present either a written report 7 days prior to the meeting; or a verbal report at the meeting in the following terms: (1) in respect of the County Councillor, issues relating to Leicestershire County Council; and (2) in respect of the District Councillors issues relating to Harborough District Council.
- c Unless the Council otherwise orders, a copy of each letter sent to the District or County Council shall be sent to the District or County councillor representing its electoral ward.

30. Financial matters

- a The Council shall consider and approve financial regulations drawn up by the Proper Officer, which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor 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;
 - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£15,000] shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
- c Any formal tender process shall comprise the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

31. Allegations of breaches of the code of conduct

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the Standards committee.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c Where a notification relates to a complaint made by an employee (not

being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.

- d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
 - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
 - iii. Ensure that the public and press are excluded from meetings as appropriate.
 - iv. Ensure that the minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter
- e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f The Council shall have the power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

32 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same

33 Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.