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14/01/2025

To: All Members of the Council

You are summoned to attend a meeting of **Laxton Parish Council** that will be held on **Wednesday, 22 January 2024 at 7pm** to transact the business set out below. The meeting will take place at Laxton Victory Hall, Station Road, Laxton, DN14 7TW. Members of the public and press are welcome to attend and may address the Council during the public participation section.

Yours sincerely

Clerk to the Council

## **A G E N D A**

1. To receive apologies for absence
2. To record declarations of interest by any member of the council in respect of the agenda items below.
3. To receive and sign the Minutes of the Parish Council Meeting, held on Wednesday, 27 November, 2024 as a true and correct record
4. Public Participation - to temporarily suspend the meeting to receive questions from the public.



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5. To agree to reopen the meeting following suspension
6. To receive an update on the action log from the Clerk
7. To receive an update from Ward Councillors
8. To receive an update from Parish Councillors
  - i. Roads deteriorating at pumping station and near Trandy Lane
  - ii. Village Hall Committee Meeting
9. To discuss the following correspondence:
  - i. ERYC - Confirmation of Council Tax Base
  - ii. Laxton Victory Hall - Further meeting to discuss LVH committee members
  - iii. Laxton Victory Hall - Parish Council storage
  - iv. National Grid - North Humber to High Marnham Great Grid Upgrade
  - v. ERYC - Nominations open for ERYC Chairman's Awards
  - vi. Planning Inspectorate - Humber Carbon Capture Pipeline – Scoping Opinion
  - vii. Resident - Speed Watch Update
  - viii. ERYC - Completion of Community Governance Review
  - ix. ERNLLCA - December Newsletter
  - x. ERNLLCA - VE Day Celebrations Guide
  - xi. Councillor Wilkinson - Improved Broadband Connectivity
  - xii. ERYC - Electoral Register Update
  - xiii. ERNLCCA - November Newsletter
10. To consider taking part in VE Day 80, 8 May 2025
11. To agree to write a letter of support to the Save Our Goole Hospital Campaign
12. To approve the following policies
  - i. Standing Orders
  - ii. Financial Regulations
  - iii. Complaints Procedure
  - iv. Co-option Policy



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- v. Data Protection Policy
- vi. Freedom of Information Policy
- vii. Scheme of Delegation

- 13. To receive an allotments update from the Clerk
- 14. To approve the schedule of accounts for payment
- 15. To receive agenda items for the 26<sup>th</sup> March 2025 and agree arrangements for printing agenda

## **LAXTON PARISH COUNCIL**

**7pm, 27 November 2024**

**PRESENT:** Councillors Goulden (Chair), Sweeting (Deputy Chair), Huntley, Collins, S Yarrow and Watson.

Councillor Wilkinson was in attendance.

Apologies for absence were received from Councillor M Yarrow, and Ward Councillors Aitken and Bayram.

Clerk: Alan Bravey, Poppy Hunt

**82/24 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTERESTS** – There were no declarations of interest.

**83/24 MINUTES OF PREVIOUS MEETING – Resolved** – That the minutes of the meeting of the Council held on Wednesday 26<sup>th</sup> September 2024 be confirmed as a correct record and signed by the Chair.

**84/24 PUBLIC PARTICIPATION** – There were no members of the public present.

**85/23 ACTION LOG – Resolved** – Meeting to be arranged with Councillor Watson as the Parish Council's representative for the playground committee.

**86/24 WARD COUNCILLOR UPDATE** – Councillor Wilkinson gave an update on progress with the new combined authority. This would see Hull and ERYC combine on a limited number of strategic regional issues such as road and rail. It was mentioned that there would be an election for Mayor in May 2025. The first tranche of funding would see an investment of £160 million over the course of the next 30 years. Cllrs Collins and S Yarrow brought up a number of particular roads in the area in need of repair, from the Village Hall to the Kilpin junction, and at the pumping station to Trandy Corner. The Clerk advised that he would report, and asked if Councillors could send him pictures of the condition of the road.

**87/24 PARISH COUNCILLOR UPDATE** – The councillors discussed the following:

- i. A request to re-instate the defibrillator first responder scheme. The Parish Council had agreed to withdraw from this scheme because of practical difficulties in its use. It relied upon having someone available to call the first responder telephone number, and may not be possible if the person offering assistance was on their own. Only landline telephone numbers could be accepted onto the system, which precluded many from taking part. It was agreed that the Parish Council would continue to pursue a defibrillator training course.

- ii. The potential of the Parish Council becoming sole trustee of the village hall, should the outgoing trustees not be able to find replacement volunteers. The Clerk provided an update on advice received from ERNLLCA. The Parish Council recognised the significant amount of work and complexities involved should it become the sole trustee of a charity, not least because charities operate within a very different legislative and procedural process to local government. The Parish Council agreed that it was not resourced to take on this work, and would therefore only consider becoming a sole trustee at the point where the Laxton Victory Hall committee considered liquidising their assets because it had not been possible to find alternative trustees.
- iii. A number of the new BT fibre boxes on Saltmarsh Road were broken and could cause a potential hazard to walkers.
- iv. The benefits of adopting Whatsapp guidelines, such as those used by Etton Parish Council. It was agreed that would be adopted and shared with the WhatsApp group, and that the name of the group should returned to Laxton Support Group.

88 /24 **CORRESPONDENCE – Resolved** – i) that the following correspondence should be received by the Council:

- i. ERNLLCA, new web domain benefits.
- ii. Cllr Aitkin, ERYC to receive £119 million funding to target rural areas.
- iii. ERYC, Launch of Streetscene Hub for complicated streetscene issues that can not be dealt with through normal web reporting.
- iv. ERNLLCA, Newsletter
- v. ERYC, Reinforcing 12 week notice required to close roads for events.
- vi. ERYC, Virtual councillor attendance.
- vii. NALC, 24/25 Pay Agreement reached.
- viii. Cllr Aitkin, Telegraph Poles
- ix. ERYC, Promoting new Rual Matters website
- x. VE Day
- xi. Cllr Aitkin, Availability of DHSC £750 match funding for external defibrillators, and £650 for internal defibrillators, and

ii) it was agreed the current website domain is fit for purpose and there was no need to change it, iii) the Clerk should write in support of the virtual councillor attendance consultation, and iv) it was agreed to discuss arrangements for VE day celebrations at the next meeting, potentially including lighting the beacon, purchasing a flag and refreshments and arranging for a reading

89/24 **TO RECORD THANKS TO ALL INVOLVED IN THE POPPY DISPLAY – Resolved** – The Clerk would write a message of thanks to be posted on the website and displayed on the notice board for all those involved in the poppy display.

90/24 **TO REQUEST ROAD CLEANING FROM EAST RIDING OF YORKSHIRE COUNCIL – Resolved** – The Clerk would request the road cleaning schedule from East Riding of Yorkshire Council.

91/24 **TO REVIEW TWO EXAMPLE RISK ASSESSMENTS – Resolved –** i) The generator risk assessments would be adopted ii) risk assessments for allotment equipment would be considered in the summer if they equipment had not been transferred to individual tenants.

92/24 **TO AGREE THE BUDGET AND PRECEPT FOR 2025/26 – Resolved –** The draft budget and precept for 2025/26 should be approved, and residents advised that the precept had been frozen at the same amount as last year.

93/24 **TO APPROVE THE SCHEDULE OF ACCOUNTS FOR PAYMENT – Resolved –** To approve the schedule of accounts for payment, noting there were currently two Clerks on the payroll during the handover transition.

94 /24 **DATE AND TIME OF NEXT MEETING - Resolved –** i) that the date of the next meeting of the Parish Council would be 7pm on the 22 January and ii) that the agenda should include VE Day celebrations, an allotment update and a risk assessment update.

**SIGNED:**

**DATE:**

## Laxton Parish Council Action Log

Action	Status	Lead
Check status of the Cotness Footbridge Bridge.	Ongoing	Clerk
Check expected repair time of bridge at Skelton footpath.	Ongoing	Clerk
Review provision of equipment at the Allotment Gardens	Ongoing	Clerk
Councillor Email Addresses	Ongoing	Clerk
Clerk Holiday Allowance	Complete	Clerk
Arrange Defibrillator Training	Ongoing	Clerk
Arrange for a Council specific mobile phone to be purchased	Ongoing	Clerk
Update the Council's financial regulations	Complete	Clerk
Convene a playground committee meeting with Councillor Watson as the Parish Council's representative.	Ongoing	Clerk
Inform the Speed Watch volunteers that registration was open	Ongoing	Clerk
Update the Allotment Tenancy Agreement	Complete	Clerk
A number of the new BT fibre boxes on saltmarsh road are broken	Ongoing	Clerk
Risk Assessments	Ongoing	Clerk

## Update

ERYC /Landowner update meeting - W/B 21 November 2023. Outcome not yet clear but getting closer.

Badger Sett holding up works. 14/10 update - New bridge required, but badger sett underneath the footings and the placement site and so consultation with Natural England required / underway. Clerk asked Kiplin PC whether they have had update.

Clerk has written to tenants.

Update the Clerk's contract to reflect holiday allowance.

Grant funding awarded for Defib Training

Verbal Update at the meeting

On Agenda

Not yet arranged

Verbal Update at the meeting

Verbal Update at the meeting

Clerk reported to BT.

Review all risk assessments



## **Laxton Parish Council Correspondence Record**

### **1 December to 14 January 2025**

The Clerk will circulate correspondence when considered appropriate. If Councillors would like to see a copy of correspondence that has not been circulated, please notify the Clerk on [laxtonpc@btinternet.com](mailto:laxtonpc@btinternet.com) on 07932 016856.

<b>From</b>	<b>Purpose of Correspondence</b>
ERYC	Confirmation of Council Tax Base (increased by 1.16%)
Laxton Victory Hall	Further meeting to discuss LVH committee members
Laxton Victory Hall	To ask whether the Parish Council filing cabinet is still required.
National Grid	North Humber to High Marnham - Great Grid Upgrade. Asking for help to identify seldom heard / hard to reach groups.
ERYC	Nominations open for ERYC Chairman's Awards – community / built heritage / business and sport categories available.
Planning Inspectorate	Humber Carbon Capture Pipeline – Scoping Opinion – (pipeline system will start near the Drax Power Station in the west and finish at mean low water spring at a landfall location on the Holderness Coast)
Resident	Speed Watch Update, 3 volunteers have volunteered for the Speedwatch scheme, although raising concern about negativity experienced towards volunteers in other areas. Noting that the speed appears to be becoming more prevalent.
ERYC	Completion of Community Governance Review – No changes will be made to number of Laxton PC Councillors or to the boundaries.
ERNLLCA	December Newsletter
ERNLLCA	VE Day Celebrations Guide
Councillor Wilkinson	Improved Broadband Connectivity – 4 premises within the Laxton Parish will benefit from Government's gigabit capable broadband project.
ERYC	Electoral Register Update
ERNLCCA	November Newsletter

Councillor Aitken	I have received a number of queries from concerned residents about the siting of new telegraph poles and/or cabinets. Unfortunately this is a planning event outside of the Local Authorities jurisdiction. I have asked for any information ( see below ) which might help residents or Parish Councils raise any concerns they may have.
ERYC	Promoting new Rural Matters website <a href="https://www.eastriding.gov.uk/living/rural-matters-here/">https://www.eastriding.gov.uk/living/rural-matters-here/</a>
VE Day 80	<p>Following on from the enormous success of D-Day 80 - 6th June 2024, in which we all commemorated the 80th Anniversary of the D-Day landings in Normandy, France, through the lighting of over one thousand beacons and five hundred lamp lights of peace throughout the United Kingdom, Channel Islands, Isle of Man and UK overseas territories that night, we are now focusing all our efforts on the celebration of the 80th Anniversary of VE Day which marked the end of the war in Europe and WWII as a whole on 8th May 1945, in a similar way.</p> <p>On <b>Thursday 8th May 2025</b> we are encouraging the lighting of <b>Beacons</b> and <b>Lamp Lights of Peace</b> at <b>9.30pm</b>, the raising of a unique VE Day flag at <b>9am</b> and, where possible, holding parties of celebration throughout the day in the streets, gardens at home, churches, villages, town halls, pubs, clubs, hotels and all manner of locations throughout the United Kingdom, Channel Islands, Isle of Man and UK Overseas Territories.</p>
Cllr Aitken	Availability of DHSC £750 match funding for external defibrillators, and £650 for internal defibrillators.

# Introduction, how to take part and register your event

Bruno Peek CVO OBE OPR, Pageantmaster



**Bruno Peek CVO OBE OPR – Pageantmaster, provides insights into the arrangements for the upcoming VE Day 80th anniversary celebrations, and how local councils and others within their community can take part in this 'shared moment of celebration' on 8th May 2025.**

## VE Day 80 – 8th May 2025 – A Shared Moment of Celebration

Following on from the enormous success of D-Day 80 - 6th June 2024, in which we all commemorated the 80th Anniversary of the D-Day landings in Normandy, France, we are now focusing our efforts on the celebration of the 80th Anniversary of VE Day which marked the end of the war in Europe and WWII as a whole on 8th May 1945. On Thursday 8th May 2025 we are encouraging the lighting of Beacons and Lamp Lights of Peace at 9.30pm, the raising of a unique VE Day flag at 9am and, where possible, holding parties of celebration throughout the day in the streets, gardens at home, churches, villages, town halls, pubs, clubs, hotels and all manner of locations throughout the United Kingdom, Channel Islands, Isle of Man and UK Overseas Territories.

Due to the fact that Fish and Chips - Britain's favourite dish, was not rationed by Prime Minister Churchill during the whole of WWII, we also want to use this occasion to continue paying tribute to the brave fishermen who fished the seas and the farmers and land girls who toiled in the fields, by encouraging the eating of Fish and Chips throughout the day, as part of these VE Day 80 celebrations on 8th May 2025.



## VE DAY 80 Beacons (9.30pm)

There are four types of beacons being lit for the occasion.

**VE Day 80 Bonfire Beacon**

**VE Day 80 Bishops Frome Strawman**

**VE Day 80 Beacon Brazier**

**VE Day 80 Gas-Fuelled Beacons**

Further details regarding these Beacons can be found on pages **7-11** of this Guide.



## VE Day 80 Lamp Light of Peace (9.30pm)

In a similar way to D-Day 80, there are many local Councils, Churches, Care Homes, Hospitals, Pubs, Hotels and individual families etc, that would like to take part in the VE Day 80 celebrations but are lacking resources or land to light a beacon, so we encourage them to purchase a reusable Lamp Light of Peace. It provides an extremely cost efficient, simple and meaningful way to take part, with the lamp's ruby red colour representing the ultimate sacrifice made by brave men and women throughout the world who sacrificed so much during WWII, fighting for the freedom we all enjoy today. Its flame represents the 'light of peace' that emerged from the darkness of so many years of war and it is such an ideal way for local councils and communities to take part at a cost of only £55.00 including vat, post and packaging for one of these lamps. (Those with existing Lamps are being asked to re-use them).



With this in mind, we would like to encourage every City, Borough, District Community, Town and Parish Council to take part in this special celebration with a Lamp Light of Peace, using this to pay tribute to those within their local communities that undertook so much for us all during WWII, especially as we must use every opportunity possible to help promote peace around the world.

We would like the lamps to be lit at **9.30pm** on 8th May 2025, coinciding with the lighting of the beacons that night, and once lit for this occasion, they can be re-lit at 11am on 11th November in Remembrance for many years thereafter. Please visit <https://lamplightofpeace.co.uk/> for more details.



### VE Day 80 Tribute (9.30pm)

All those taking part, whether they be lighting Beacons, Lamp Lights of Peace or holding a Party, are being encouraged to stop what they are doing at **9.30pm**, and read out the following Tribute by a nominated individual, bringing the Nation together at this one moment in time.

#### The Tribute

*Let us remember those who gave their lives at home and abroad, whose sacrifice enables us to all enjoy the peace we have today.*

*Let us remember those who came home, wounded, physically and mentally, and the friends and family who cared for them.*

*Let us remember those who returned to restore their relationships and rebuild their working and family lives after years of conflict and turmoil.*

*Let us remember the families that lost husbands, wives, sons, daughters and sweethearts.*

*Let us remember the servicemen and women of other nationalities and faiths from Commonwealth and allied countries who fought, suffered and died during six years of war.*

*Let us remember those in reserved occupations and the brave people who kept us safe on the home front - the doctors, nurses who cared for the wounded, the men and women who toiled in the fields, the fisherman who fished the seas, those who worked in the factories and the air-raid wardens, the police officers, firemen, ambulance drivers and the young people of the Scouts and Guides who played such a vital role in the war effort at home too.*

#### God Save The King

### VE Day Flag (9.00am)



throughout WWII - lest we forget. We encourage, all City, Borough, District, Community, Town and Parish as well as other organisations such as, Churches, individuals, Care Homes, Hospitals, Stately Homes, Forts, Castles, and Hotels etc, to take part in this simple act of celebration by raising the official VE Day 80 flag for this day of celebration. Please see page 14 for more details.

### VE Day 80 Empire Medal Pin Badge

Empire Medals have crafted a beautiful Pin Badge to celebrate VE Day 80, which can be purchased and worn by individuals during the build-up to 8th May, on the day itself, and many days thereafter if they so wish. It can also be used as a personal tribute to past family members involved throughout WWII, in helping to secure the peace that allows us all to celebrate this important anniversary on 8th May 2025.

More information is available at

<https://www.empiremedals.com/>

### VE Day 80 Street and Home Garden Parties (throughout the day)

Even though Thursday 8th May 2025 is not a public holiday, we encourage those with country parks and streets that can be closed, along with those that have gardens to hold street and garden parties decked in flags and bunting, dressing up in fancy dress or uniform, along with those communities that have town, village and community halls etc, to organise VE

The Nation will again come together in joyous celebration at **9am** on 8th May, by raising the unique VE Day 80 Flag, uniting the nation in remembering the sacrifices made by so many, many millions



Day 80 parties within them, decorating them in a similar fun way. We also encourage care homes and children's homes, hospitals, schools, pubs, hotels and restaurants etc, to undertake similar events throughout the day in celebration of this important Anniversary. This would be a great, and simple way for schools to take part, especially at lunch-time.

### The Four Peaks - Mount Snowdon, Scafell Pike, Slieve Donard and Ben Nevis

Four Pipers will be playing Celebratum from the top of the Four Peaks at 12noon on 8th May which has been especially written for this historic occasion by Stuart Liddell MBE, and they will be followed by members of Walking With The Wounded who will be lighting Beacons at the top of the Peaks at 9.30pm in tribute to the fallen of WWII, as their contribution to VE Day 80.

### Promotional tips

**Invitations:** Extend an invitation to your HM Lord Lieutenant, Deputy Lord Lieutenant, local dignitary to light your beacon or lamp, or **more importantly**, a young person, as they are the future, and we need to encourage as many as we can to assist the world in promoting peace.



**Social Media:** Use the power of social media channels to promote your involvement in VE Day 80, and post your photographs of your beacon lighting and any other activities you will be taking part in during VE Day 80.

**TV, Radio and Newsprint:** Make contact with your regional and local TV stations, local radio and newspapers, informing of your involvement in VE Day 80. We will be providing you with an overall press release outlining the overall plans for celebrating these important anniversary celebrations, enabling you to afix it to your plans. **Please** remember to include your own contact details, enabling them to contact you direct.

## REGISTRATION OF EVENTS

**Step 1:** To confirm your involvement and make important communication as easy as possible please register your involvement, providing the information below, direct to **brunopeek@mac.com** as soon as possible please, but **no later than 30th April 2025.**

If your event is a private occasion and NOT open to the public, and you do not want your involvement shown on any public or media listing, it is important that you confirm this when providing information. Your participation will still be noted as part of this historic occasion but NOT made public. However, if your event IS open to the public, your contact details will be shared with the media so that they can contact you direct to arrange any publicity and/or coverage of your event.

**Name of Country: England, Wales, Scotland, Northern, Ireland, Channel Islands, Isle of Man**

Name of County

Name of City, Borough, District, Town, Parish

Name of Organisation

Name of Organiser

VE Day Beacon – Yes/No

VE Day Lamp Light of Peace – Yes/No

VE Day Flag – Yes/No

Street Party – Yes/No

Garden Party – Yes/No

Party elsewhere – Yes/No

Email address

**Public or Private event**

### **Step 2: Public or private event & legal essentials**

Ensure you have undertaken all the legal essentials and safety requirements on **page 18** before lighting your Beacon and Lamp. Alert the emergency services, including the Fire Brigade, undertake any risk assessments required and ensure everyone involved is happy and familiar with your plans. **(This is your responsibility as coordinator)**. In the event of dry weather, high winds and a heightened wildfire risk on the day of the event, please carefully consider scaling back initial plans where appropriate.

### **Step 3: Please light your Beacon and Lamp Light of Peace at 9.30pm.**

The Beacon and Lamp Lighting Ceremony should be undertaken as follows:

Invite your HM Lord Lieutenant, DL, Lord Mayor, High Steward, Sheriff, Lord Provost, Chairman, Leader of the Council or a VE Day Veteran to light your Beacon or Lamp Light of Peace at **9.30pm**. Alternatively, you may wish to run a local competition, with the winner lighting them.



*Bruno Peek*

**Bruno Peek CVO OBE OPR**

Pageantmaster

VE Day 80 Anniversary 8 May 2025

[www.veday80beacons.co.uk](http://www.veday80beacons.co.uk)





## **LAXTON PARISH COUNCIL** **STANDING ORDERS**

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## **1. RULES OF DEBATE AT MEETINGS**

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



- o Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since they 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 they considers has been breached or specify the other irregularity in the proceedings of the meeting they is concerned by.
- q A point of order shall be decided by the chair of the meeting and their decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their 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 ( ) minutes without the consent of the chair of the meeting.

## **2. DISORDERLY CONDUCT AT MEETINGS**

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

## **3. MEETINGS GENERALLY**

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 30 minutes unless directed by the chair of the meeting.
- g In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.

- h A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.
- i A person who speaks at a meeting shall direct their comments to the chair of the meeting.
- j Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- k **Subject to standing order 3(l), 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.**
- l **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- m **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.**
- n **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- o **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- p **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.**
- q **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

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

- r **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 their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

- s 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.
- t **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 their right to participate and vote on that matter.**
- u **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.*
- v **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.
- w A meeting shall not exceed a period of 3 hours.

#### **4. COMMITTEES AND SUB-COMMITTEES**

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be**

**determined by the committee.**

- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer ( ) days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. may dissolve a committee or a sub-committee.

## **5. ORDINARY COUNCIL MEETINGS**

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.
- e The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.
- f The Chair of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
- g The Vice-Chair of the Council, if there is one, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
- j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
  - i. In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their 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. Appointment of members to existing committees;
- iv. Appointment of any new committees in accordance with standing order 4;
- v. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

## **6. EXTRAORDINARY MEETINGS OF THE COUNCIL**

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

## **7. PREVIOUS RESOLUTIONS**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

## **8. VOTING ON APPOINTMENTS**

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.

## **9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven 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 seven 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 chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

## **10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;



- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## **11. MANAGEMENT OF INFORMATION**

*See also standing order 20.*

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**

- d **Councillors, staff, the Council’s contractors and agents shall not disclose confidential information or personal data without legal justification.**

## **12. DRAFT MINUTES**

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

“The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## **13. CODE OF CONDUCT AND DISPENSATIONS**

*See also standing order 3(u).*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they has a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.

- c Unless they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they has another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
  - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
  - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
  - iii. **it is otherwise appropriate to grant a dispensation.**

## 14. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by

the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

- c The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

## 15. PROPER OFFICER

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
  - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*
  - ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming their withdrawal of it;
  - iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**

- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. 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);
- xi. arrange for legal deeds to be executed;  
(see also *standing order 23*);
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. manage access to information about the Council via the publication scheme; and

## **16. RESPONSIBLE FINANCIAL OFFICER**

- a The Clerk is the Council's Responsible Financial Officer. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## **17. ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

- c. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- d. 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. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## 18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- c. 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.
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

## 19. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council, or the Personnel Committee, is subject to standing order 11.
- b The Clerk shall notify the chair of Council or the chair of the Personnel committee, if they is not available to work.
- c The chair of Personnel committee upon a resolution shall conduct a review of the performance of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Personnel committee.
- d The Clerk shall contact the chair of Personnel Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel committee.

- e If an informal or formal grievance matter raised by Clerk relates to the chair of Personnel committee, this shall be communicated to another member of the committee, which shall be reported back and progressed by resolution of [the ( 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).

## **20. RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 21.*

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

## **21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

*See also standing order 11.*

- a **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**
- b **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- c **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.**
- d **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.**
- e **The Council shall maintain a written record of its processing activities.**



## **22. RELATIONS WITH THE PRESS/MEDIA**

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## **23. EXECUTION AND SEALING OF LEGAL DEEDS**

*See also standing orders 15(b)(xii) and (xvii).*

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution
- b **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## **24. COMMUNICATING WITH 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 Unitary Council representing the area of the Council.
- b A copy of any significant or notable letters sent to the Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

## **25. RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a. Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

## **26. STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to

the consideration of an item on the agenda for a meeting.

- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.



## LAXTON PARISH COUNCIL FINANCIAL REGULATIONS

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These Financial Regulations were adopted by the council at its meeting held on XXXX.

## 1. General

- 1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's Standing Orders.
- 1.2. Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3. Wilful breach of these regulations by an employee may result in disciplinary proceedings.
- 1.4. In these Financial Regulations:
  - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
  - "Approve" refers to an online action, allowing an electronic transaction to take place.
  - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
  - 'Proper practices' means those set out in *The Practitioners' Guide*
  - *Practitioners' Guide* refers to the guide issued by the Joint Panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for Local Councils in Wales – A Practitioners Guide jointly published by One Voice Wales and the Society of Local Council RFOs in Wales.
  - 'Must' and **bold text** refer to a statutory obligation the council cannot change.
  - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5. The Responsible Financial Officer (RFO) holds a statutory office, appointed by the council. The Clerk has been appointed as RFO and these regulations apply accordingly. The RFO;
  - acts under the policy direction of the council;
  - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
  - determines on behalf of the council its accounting records and control systems;
  - ensures the accounting control systems are observed;
  - ensures the accounting records are kept up to date;
  - seeks economy, efficiency and effectiveness in the use of council resources; and
  - produces financial management information as required by the council.

**1.6. The council must not delegate any decision regarding:**

- **setting the final budget or the precept (council tax requirement);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing;**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal or external auditors**

**1.7. In addition, the council shall:**

- **determine and regularly review the bank mandate for all council bank accounts;**
- **authorise any grant or single commitment in excess of £500**

**2. Risk management and internal control**

**2.1. The council must ensure that it has a sound system of internal control, which delivers effective financial, operational and risk management.**

**2.2. At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

**2.3. The accounting control systems determined by the RFO must include measures to:**

- **ensure that risk is appropriately managed;**
- **ensure the prompt, accurate recording of financial transactions;**
- **prevent and detect inaccuracy or fraud; and**
- **allow the reconstitution of any lost records;**
- **identify the duties of officers dealing with transactions and**
- **ensure division of responsibilities.**

**2.4. At the end of each financial year end, the Parish Council will verify bank reconciliations for all accounts produced by the RFO.**

**2.5. Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.**

**3. Accounts and audit**

- 3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.
- 3.2. **The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonably accuracy at any time. In particular, they must contain:**
- **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**
  - **a record of the assets and liabilities of the council;**
- 3.3. The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual Governance Return.
- 3.4. The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.
- 3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**
- 3.6. **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of the audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 3.7. The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 3.8. The council shall ensure that the internal auditor:
- is competent and independent of the financial operations of the council;
  - reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
  - can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
  - has no involvement in the management or control of the council
- 3.9. Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
  - initiate or approve accounting transactions;

- provide financial, legal or other advice including in relation to any future transactions; or
  - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 3.10. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in The Practitioners Guide.
- 3.11. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.
- 3.12. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

#### **4. Budget and precept**

- 4.1. **Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.**
- 4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the council at least annually by December each year, for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the RFO and the Chair of the Council.
- 4.3. No later than December each year, the RFO shall prepare a draft budget with detailed estimates of all [receipts and payments/income and expenditure] for the following financial year.
- 4.4. Having considered the proposed budget, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the 15<sup>th</sup> January for the ensuing financial year.
- 4.5. **Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by Section 106 of the Local Government Finance Act 1992 and must and must disclose at the start of the meeting that Section 106 applies to them.**
- 4.6. The RFO shall **issue the precept to the billing authority no later than the end of January** and supply each member with a copy of the agreed annual budget.
- 4.7. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

#### **5. Procurement**

- 5.1. **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as

practicable, that the best available terms are obtained, usually by obtaining prices from several suppliers.

- 5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.
- 5.3. Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.
- 5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation ("the Legislation"), must be followed in respect of the tendering, award and notification of that contract.**
- 5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:
- 5.6. For contracts estimated to exceed £5,000 including VAT, the RFO shall seek formal tenders from at least three suppliers.
- 5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation<sup>1</sup> regarding the advertising of contract opportunities and the publication of notices about the award of contracts.**
- 5.8. For contracts greater than £2,500 excluding VAT the RFO [or RFO] shall seek at least [3] fixed-price quotes;
- 5.9. where the value is between £500 and £2,500 excluding VAT, the RFO shall try to obtain 3 estimates which might include evidence of online prices, or recent prices from regular suppliers.
- 5.10. For smaller purchases, the RFO shall seek to achieve value for money.
- 5.11. **Contracts must not be split into smaller lots to avoid compliance with these rules.**
- 5.12. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:
  - i. specialist services, such as legal professionals acting in disputes;
  - ii. repairs to, or parts for, existing machinery or equipment;
  - iii. works, goods or services that constitute an extension of an existing contract;
  - iv. goods or services that are only available from one supplier or are sold at a fixed price.

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<sup>1</sup> The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.



- 5.13. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council. Avoidance of competition is not a valid reason.
- 5.14. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by:
- the RFO, under delegated authority, for any items below £500 excluding VAT.
  - the RFO, in consultation with the Chair of the Council for any items below £2,000 excluding VAT.
  - the council for all items over £2,000;
- Such authorisation must be supported by a minute (in the case of council or committee decisions) or other auditable evidence trail.
- 5.16. No individual member, or informal group of members may issue an official order unless instructed to do so in advance by a resolution of the council or make any contract on behalf of the council.
- 5.17. No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council except in an emergency.
- 5.18. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £1,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The RFO shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.
- 5.19. No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.
- 5.20. An official order or letter shall be issued for all work, goods and services above £250 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.
- 5.21. Any ordering system can be misused and access to them shall be controlled by the RFO.

## **6. Banking and payments**

- 6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be delegated to a committee.
- 6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error.

- 6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO.
- 6.4. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of employment) may be summarised to avoid disclosing any personal information.
- 6.5. All payments shall be made by online banking/cheque, in accordance with a resolution of the council, or duly delegated committee, or a delegated decision by an officer, unless the council resolves to use a different payment method.
- 6.6. The RFO shall have delegated authority to authorise payments in the following circumstances:
  - i. any payments of up to £500 excluding VAT, within an agreed budget.
  - ii. payments of up to £1,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.
  - iii. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
  - iv. Fund transfers within the councils banking arrangements up to the sum of £5,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.
- 6.7. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution.

## **7. Electronic payments**

- 7.1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator.
- 7.2. No employee or councillor shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.
- 7.3. In the prolonged absence of the Service Administrator, the Parish Council shall set up an additional service administrator. .
- 7.4. A full list of all payments made in a month shall be provided to the next council meeting,
- 7.5. Members and officers shall ensure that any computer used for the council's financial business has adequate security and regularly updated.

- 7.6. Remembered password facilities {other than secure password stores requiring separate identity verification} should not be used on any computer used for council banking.

## **8. Cheque payments**

- 8.1. Cheques or orders for payment in accordance in accordance with a resolution or delegated decision shall be signed by two members.
- 8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.
- 8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.
- 8.4. Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council meeting. Any signatures obtained away from council meetings shall be reported to the council at the next convenient meeting.

## **9. Payment cards**

- 9.1. Any Debit Card issued for use will be specifically restricted to the RFO and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.
- 9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.

## **10. Petty Cash**

- 10.1. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the RFO [or RFO] (for example for postage or minor stationery items) shall be refunded on a regular basis.

## **11. Payment of salaries and allowances**

- 11.1. **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**
- 11.2. **Councillors allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**
- 11.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council.
- 11.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.
- 11.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

11.6. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.

11.7. Before employing interim staff, the council must consider a full business case.

## **12. Loans and investments**

12.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.

12.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year must be authorised by the full council, following a written report on the value for money of the proposed transaction.

12.3. All investment of money under the control of the council shall be in the name of the council.

12.4. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

12.5. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

## **13. Income**

13.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

13.2. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year. The council's approval shall be shown in the accounting records.

13.3. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.

13.4. Personal cheques shall not be cashed out of money held on behalf of the council.

13.5. Any repayment claim under section 33 of the VAT Act 1994 shall be made at least annually at the end of the financial year.

13.6. Where significant sums of cash are regularly received by the council, the RFO shall ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.

13.7. Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to

the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting.

#### **14. Payments under contracts for building or other construction works**

- 14.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.
- 14.2. Any variation of, addition to or omission from a contract must be authorised by the RFO to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 5% or more, or likely to exceed the budget available.

#### **15. Assets, properties and estates**

- 15.1. The RFO shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.
- 15.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Accounts and Audit Regulations.
- 15.3. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.
- 15.4. No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £500. In each case a written report shall be provided to council with a full business case.

#### **16. Insurance**

- 16.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date.
- 16.2. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council at the next available meeting. The RFO shall negotiate all claims on the council's insurers.

16.3. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council, or duly delegated committee.

## **17. Charities**

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

## **18. Suspension and revision of Financial Regulations**

18.1. The council shall review these Financial Regulations regularly, and following any change of clerk or RFO. The RFO shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.

18.2. The council may, by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspension are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.

18.3. The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

## **Appendix 1 - Tender process**

- 1) Any invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases.
- 2) The invitation shall in addition state that tenders must be addressed to the RFO in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
- 3) Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the RFO in the presence of at least one member of council.
- 4) Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
- 5) Any invitation to tender issued under this regulation shall be subject to Standing Order [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.
- 6) Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.



## **Laxton Parish Council**

### **Complaints Procedure**

#### **1. Policy Statement**

- 1.1 Laxton Parish Council will consider all comments, compliments and complaints made about its actions or lack of actions and will take action where appropriate.
- 1.2 The Clerk will record and monitor all complaints received and will investigate further as required. The Clerk will inform the Parish Council of complaints received and action taken as a result and /or will make recommendations for action as appropriate.

#### **2. Receiving complaints**

- 2.1 Wherever possible complaints should be resolved by discussion with the complainant. Where this is not possible a formal complaint can be made under the Council's complaint procedure.
- 2.2 Complaints can be received orally or in writing (including electronically). The details of the complaint should be passed to the Clerk as soon as possible to be recorded and monitored. Councillors and Officers should capture the name of the complainant, the nature of the complaint and an address and telephone number.
- 2.3 Anonymous complaints will be dealt with using this process.
- 2.4 Complaints made during the public session of a Parish Council meeting will be resolved where possible but must be deferred to the next meeting if a resolution is required to address the complaint.

#### **3. Acting on Complaints**

- 3.1 The Clerk will write to the complainant acknowledging receipt of their complaint. The Clerk will investigate the complaint and try to settle directly with the complainant. If the complaint is regarding a Councillor then that person shall be given the opportunity to comment in a way in which it is intended to attempt to settle the complaint.



- 3.3 The Clerk shall bring any written complaint which has not been settled to the next meeting of the Council. The Clerk 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.
- 3.4 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. 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.
- 3.5 The Council should defer dealing with any 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.
- 3.6 Consideration by the Council is the final stage in the complaint process. The Local Government Ombudsman will not consider complaints made against a Parish Council.
- 3.7 Any complaints regarding the Clerk shall be dealt with by the Chairman, who will follow the process for receiving and acting on complaints set out in this Policy. Complaints regarding the conduct of the Clerk shall be dealt with following the Council's Disciplinary or Capability Procedure as appropriate. Complaints relating to a breach of the Council's Code of Conduct by a Councillor will be referred to the Monitoring Officer at East Riding of Yorkshire Council as appropriate.



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### **Co-option Policy**

The Co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. To ensure that a fair and transparent process is undertaken the following procedure will be followed by Laxton Parish Council:

- 1) On receipt of written confirmation from the Electoral Services Office at East Riding of Yorkshire Council, the casual vacancy can be filled by means of Co-option, the Town Clerk will advertise the vacancy for 3 weeks on the Council notice boards and website.
- 2) Applicants for co-option will be asked to: a) submit information about themselves, by way of completing a short application form. b) confirm their eligibility for the position of Councillor within the statutory rules, by completing an Eligibility Form.
- 3) Copies of the applicant's application form will be circulated to all Councillors by the Clerk.
- 4) Applicants will be invited to attend the meeting of the Parish Council when the Co-option will be considered. At the meeting, applicants will be asked to give a short presentation and may be asked questions.
- 5) Discussion about the applications will take place in council session without intervention from the candidates or public. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained. Councillors shall vote by signed ballot. If any member so requires, the Clerk shall record the names of members who voted on any question to show whether they voted for, against, or abstained. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.



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6) Candidates may stay in the room for the vote.

7) After the vote has been concluded, the Chairman will declare the successful candidate duly elected

# **Etton Parish Council**

## **Data Protection Policy**

### **Purpose**

The council is committed to being transparent about how it collects and uses the personal data, and to meeting our data protection obligations. This policy sets out the council's commitment to data protection, and your rights and obligations in relation to personal data in line with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

The council has appointed the Clerk as the person with responsibility for data protection compliance within the council.

### **Definitions**

"Personal data" is any information that relates to a living person who can be identified from that data (a 'data subject') on its own, or when taken together with other information. It includes both automated personal data and manual filing systems where personal data are accessible according to specific criteria. It does not include anonymised data.

"Processing" is any use that is made of data, including collecting, recording, organising, consulting, storing, amending, disclosing or destroying it.

"Special categories of personal data" means information about an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic or biometric data as well as criminal convictions and offences.

"Criminal records data" means information about an individual's criminal convictions and offences, and information relating to criminal allegations and proceedings.

### **Data protection principles**

The council processes personal data in accordance with the following data protection principles the council:

- processes personal data lawfully, fairly and in a transparent manner
- collects personal data only for specified, explicit and legitimate purposes
- processes personal data only where it is adequate, relevant and limited to what is necessary for the purposes of processing
- keeps accurate personal data and takes all reasonable steps to ensure that inaccurate personal data is rectified or deleted without delay
- keeps personal data only for the period necessary for processing

- adopts appropriate measures to make sure that personal data is secure, and protected against unauthorised or unlawful processing, and accidental loss, destruction or damage

The council will tell you of the personal data it processes, the reasons for processing your personal data, how we use such data, how long we retain the data, and the legal basis for processing in our privacy notices.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it. The council will not process your personal data if it does not have a legal basis for processing.

### **Processing Personal data**

The council will process your personal data (that is not classed as special categories of personal data) for one or more of the following reasons:

- it is necessary for the performance of a contract
- it is necessary to comply with any legal obligation; and/or
- it is necessary for the council's legitimate interests (or for the legitimate interests of a third party), unless there is a good reason to protect your personal data which overrides those legitimate interests; and/or
- it is necessary to protect the vital interests of a data subject or another person; and/or
- it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.

If the council processes your personal data (excluding special categories of personal data) in line with one of the above bases, it does not require your consent.

Otherwise, the council is required to gain your consent to process your personal data. If the council asks for your consent to process personal data, then we will explain the reason for the request. You do not need to consent or can withdraw consent later.

The council will not use your personal data for an unrelated purpose without telling you about it and the legal basis that we intend to rely on for processing it.

### **Special categories of data**

The council will only process special categories of your personal data (see above) on the following basis in accordance with legislation:

- where it is necessary for carrying out rights and obligations under employment law or a collective agreement;
- where it is necessary to protect your vital interests or those of another person where you are physically or legally incapable of giving consent;
- where you have made the data public;
- where it is necessary for the establishment, exercise or defence of legal claims;

- where it is necessary for the purposes of occupational medicine or for the assessment of your working capacity;
- where it is carried out by a not-for-profit body with a political, philosophical, religious or trade union aim provided the processing relates to only members or former members provided there is no disclosure to a third party without consent;
- where it is necessary for reasons for substantial public interest on the basis of law which is proportionate to the aim pursued and which contains appropriate safeguards;
- where it is necessary for reasons of public interest in the area of public health; and
- where it is necessary for archiving purposes in the public interest or scientific and historical research purposes.

If the council processes special categories of your personal data in line with one of the above bases, it does not require your consent. In other cases, the council is required to gain your consent to process your special categories of personal data. If the council asks for your consent to process a special category of personal data, then we will explain the reason for the request. You do not have to consent or can withdraw consent later.

### **Individual rights**

As a data subject, you have a number of rights in relation to your personal data.

#### **Subject access requests**

You have the right to make a subject access request. If you make a subject access request, the council will tell you:

- whether or not your data is processed and if so why, the categories of personal data concerned and the source of the data if it is not collected from yourself;
- to whom your data is or may be disclosed, including to recipients located outside the European Economic Area (EEA) and the safeguards that apply to such transfers;
- for how long your personal data is stored (or how that period is decided);
- your rights to rectification or erasure of data, or to restrict or object to processing;
- your right to complain to the Information Commissioner if you think the council has failed to comply with your data protection rights; and
- whether or not the council carries out automated decision-making and the logic involved in any such decision-making.

The council will also provide you with a copy of your personal data undergoing processing. This will normally be in electronic form if you have made a request electronically, unless you agree otherwise.

If you want additional copies, the council may charge a fee, which will be based on the administrative cost to the council of providing the additional copies.

To make a subject access request, you should send the request to the Clerk or Chairman of the Council. In some cases, the council may need to ask for proof of identification before the request can be processed. The council will inform you if we need to verify your identity and the documents we require.

The council will normally respond to a request within a period of one month from the date it is received. Where the council processes large amounts of your data, this may not be possible within one month. The council will write to you within one month of receiving the original request to tell you if this is the case.

If a subject access request is manifestly unfounded or excessive, the council is not obliged to comply with it. Alternatively, the council can agree to respond but will charge a fee, which will be based on the administrative cost of responding to the request. A subject access request is likely to be manifestly unfounded or excessive where it repeats a request to which the council has already responded. If you submit a request that is unfounded or excessive, the council will notify you that this is the case and whether or not we will respond to it.

### Other rights

You have a number of other rights in relation to your personal data. You can require the council to:

- rectify inaccurate data;
- stop processing or erase data that is no longer necessary for the purposes of processing;
- stop processing or erase data if your interests override the council's legitimate grounds for processing data (where the council relies on our legitimate interests as a reason for processing data);
- stop processing or erase data if processing is unlawful; and
- stop processing data for a period if data is inaccurate or if there is a dispute about whether or not your interests override the council's legitimate grounds for processing data.
- complain to the Information Commissioner. You can do this by contacting the Information Commissioner's Office directly. Full contact details including a helpline number can be found on the Information Commissioner's Office website ([www.ico.org.uk](http://www.ico.org.uk)).

To ask the council to take any of these steps, you should send the request to the Clerk or Chairman of the Council.



## **Laxton Parish Council**

### **Freedom of Information Policy**

#### **Freedom of Information Act**

This publication scheme commits Laxton Parish Council 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 the Council:

- 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.

### **Publication Scheme**

<b>Who we are and what we do.</b>	
Role of the Parish Council	Website
Role of Councillors	Website
Contact Details for the Clerk and Councillors.	Website
<b>What we spend and how we spend it.</b>	
Annual Governance Return	Website
List of all Spending	Website
Precept information	Website – December or January Minutes
Grants Provided	Website – list of spending
Borrowing Totals	Website – in Annual Governance Return
<b>What our priorities are and how we are doing.</b>	
Clerk Action Log	Website – Meeting Minutes provide update
<b>How we make decisions.</b>	
Timetable of meetings	Website
Meeting Agendas	Website
Minutes of meetings	Website
Responses to planning applications	Website (Minutes)
Standing Orders	Website
<b>Our policies and procedures</b>	
Standing Orders	Website
Financial Regulations	Website
Councillor's Code of Conduct	Website
Complaints Procedures	Website
Privacy Policy / GDPR Statement	Website
Scheme of Delegation	Website

<b>Lists and registers.</b>	
Register of interest	Website
Asset Register	Website
<b>Services we Offer</b>	
Defibrillators	Website
Benches and Picnic Benches at Jubilee Gardens	Website
Allotments	Website
Community Library	Website
Saltbin	Website



## **Laxton Parish Council Scheme of Delegation**

This Scheme of Delegation forms part of the Council's Financial Regulations and Standing Orders. It will be reviewed periodically and when there is a change of Clerk/RFO.

The purpose of this document is to clearly define the parameters within which the Clerk/RFO of the Council can act without reference to Councillors. This document also captures the various delegated powers throughout the Council, including those delegated by the Council to its Committees, Internal Control Councillors and Working Parties. This element of the scheme incorporates all of the approved Terms of Reference.

Any deviation from this scheme should be reported to Council at the earliest opportunity with an explanation of the circumstances in which the breach occurred.

### **Principles of Delegation**

- Section 101 of the Local Government Act 1972 provides:
  - That a Council may delegate its powers (except those incapable of delegation) to a committee; or an officer.
  - A Committee may delegate its powers to an officer.
  - The delegating body may exercise powers that have been delegated.
- Any delegation to a Committee or the Clerk/RFO shall be exercised in compliance with the Council's Standing Orders, its Financial Regulations and any other policies or conditions imposed by the Council and with the law.
- In an emergency the Clerk/RFO is empowered to carry out any function of the Council.
- Where the Clerk/RFO is contemplating any action under delegated powers, which is likely to have a significant impact in a particular area, they should also consult the Chairman of the Council and must ensure that they obtain appropriate legal, financial and other specialist advice before action is taken.

### **Authority to Act**

- It will be appropriate for the Clerk/RFO to refer a matter to the Council where the determination of the matter is likely to be particularly controversial or raises issues of policy which it would be appropriate for councillors to determine.
- The Clerk/RFO and Committees have the responsibility to act within the Councils approved policies, procedures and framework and within the law in conjunction with this delegated scheme.

### **Council Reserved Powers**

The following matters are only to be resolved by the full Council:

- Appointment of the Clerk/RFO
- To adopt and change the Standing Orders, Financial Regulations, Scheme of Delegation and other Council policies
- To approve and adopt the Budget.
- To appoint committees and working groups
- To approve membership of all committees and working groups
- To agree and/or amend the terms of reference for Committees
- To adopt the schedule of meetings for the ensuing year.
- To determine matters involving expenditure for which budget provision is not made or is exceeded.
- To set the Precept
- To borrow money
- To annually approve the statutory annual return
- To approve eligibility for the General Power of Competence
- To assess, consider and (if approved) award donations and grants fund to other bodies where lawful and appropriate in accordance with statute
- To receive, consider and approved recommendations from the Clerk/RFO in respect of staff remuneration outside of budget allocation.
- To assess, consider and approve recommendations from working groups.

### **Delegation Safeguards**

- The Council may, at any time without prejudice to executive action taken already, revoke any executive power delegated to a Committee or Officer.

### **Delegation to Clerk**

- The Clerk is designated and authorised to act as the Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a proper officer.
- In the case of an emergency, the Clerk shall have the power to take reasonable steps to secure the Council's assets or position, following consultation with the Chairman (if practicable in the circumstances).
- The Clerk will deal with all routine correspondence which does not commit the Parish Council to enter into a legal agreement or give an opinion. The Clerk

will also deal with any correspondence which is covered by delegated authority.

- As Proper Officer/RFO, the Clerk may incur expenditure on revenue items on behalf of the Council up to the amounts included in the approved budget. Subject to the adopted Financial Regulations.
- The Clerk will have the authority to dispose of the Councils assets (excluding land and building assets) subject to the estimated value of any one tangible; moveable item does not exceed £500. The Clerk is responsible for ensuring any disposal details including the disposal values are recorded in the assets register.
- The Clerk shall have the authority to engage casual workers subject to budget.
- Power to authorise relevant training courses provided the expense can be met from approved budgets having taken into account the training needs of the employees/ Councillors.
- Power to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the full Council.
- Power to release urgent press statements on any activities subject to prior consultation with the Chairman.
- Power to act on own initiative to implement the Councils policies and objectives.
- Power to manage all the Council's resources in accordance with the Council's policies.
- Power to manage all open spaces within the Parish subject to budget.
- Power to engage with the community and stakeholders to raise the profile of the Parish Council and foster good working relationships.

### **Personnel Committee**

- To consider the Council's staffing structure.
- To recommend job descriptions of staff for full council approval, as necessary.
- To consider the deployment, welfare, superannuation, remuneration, recruitment, training, qualifications, health and safety aspects and other conditions of service of all employees.
- To recommend staff salaries/pensions or other benefits to be approved by the Full Council.
- To deal with recruitment of Council staff as necessary.
- To hear and determine matters of discipline and efficiency.
- To negotiate and consult with representatives of the Council's employee(s).

### **Committees**

- To recommend items for the Council's budget and expenditure for future commitments.

- To keep under review those matters within its Terms of Reference including the policies and procedures adopted by the Council
- To expedite decisions in accordance with the Council's ambitions and objectives.
- Committees have the right to identify issues that will be dealt with at the full meeting of the Parish Council

### **Working Parties**

Full Council may form or disband a working party. A working party will carry out tasks as defined by Full Council. Membership of a working party is approved by Full Council.

### **The role of a Working Party**

- To review or consider issues as directed by Full Council.
- To examine an issue in detail, read reports and related materials, examine options, get advice for Full Council.
- Act as experts for the Council and/or liaise with experts.
- Make recommendations to Full Council.
- To explain the recommendations, reasons, options to Full Council by way of written report.
- To answer questions from Full Council.
- Not to fund or commit to fund without prior agreement of Full Council.
- Full Council must direct the Working Party and set clear objectives.
- The number of members on a Working Party will be decided on at the time of the Working Party appointment.
- All correspondence received by a Working Party must be sent/copied to the Clerk.
- A Working Party does not meet in public, therefore Standing Orders are not applicable, although the Code of Conduct still applies.

**Signed by the Chair:**

**Date:**



**Laxton Parish Council**

**Accounts for Payment – January / February 2025**

**Payments made to be noted**

<b>Payee</b>	<b>Details</b>	<b>Total £</b>
Clerk	Web domain renewal	22.44
Zurich	Annual Insurance Premium	264
ERYC Supplies	Printer Paper and A4 Envelopes	26.27

**Payments to be Authorised**

<b>Payee</b>	<b>Details</b>	<b>Total £</b>
HMRC	PAYE	106
Alan Bravey	January	79.40
Poppy Hunt	January and February	212.4