



Haslemere Town Council
Guidelines for broadcasting or using Social Media at Council meetings.
(Adopted 2015, reviewed February 2023)

The right to record, film and to broadcast meetings of the Council, Committees and Sub Committees is established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the press and public to attend such meetings.

1. The Council will make the Council chamber available to the public 15 minutes before and after meetings for the setting up and removal of any filming equipment.
2. Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner and only from public areas.
3. Meetings or parts of meetings from which the press and public are excluded may not be filmed or recorded.
4. The use of digital and social media recording tools, for example Twitter, blogging or audio recording will be allowed as long as it is carried out in a non-disruptive manner.
5. Councillors who choose to use social media during Council meetings must refrain from disrupting other Councillors and Council debate.
6. While those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998.
7. The Chairman of the meeting, or any such Council representative as designated by the Chairman, has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.
8. Any person or organisation choosing to film, record or broadcast any meeting of the Council is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.
9. The Council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed or recorded.
10. The Council will display the requirements as to filming, recording and broadcasting at its meeting venues and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
11. The Council will publish the guidance on the filming, recording and broadcasting of meetings on its website.

DRAFT



HASLEMERE TOWN COUNCIL

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Scheme of Delegation to the Town Clerk **(Adopted 2020, reviewed 2023)**

1. Council Functions

- 1.1 The matters listed below are the responsibility of the full Council:
- Adopting and changing the Council's Standing Orders, Financial Regulations and Powers and Duties of Committees;
 - Approving, adopting or making material changes to the Council's policy framework;
 - Approving the Council's Budget and the level of its precept levied on the Waverley Borough Council;
 - Authorising borrowings;
 - Authorising the incurring of expenditure not provided for within the approved Budget or otherwise permitted under the Council's Financial Regulations;
 - Appointing Council representatives to outside bodies;
 - Confirming the appointment of the Town Clerk;
 - Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation;
 - All other matters which must, by law, be reserved to the full Council.

2. Extent of Delegation

- 2.1 The powers and duties set out in this scheme are delegated to the Town Clerk of Haslemere Town Council. The Town Clerk is the Council's Responsible Financial Officer and the Proper Officer as defined in law and has day to day responsibility for management of the Council's assets and staff.
- 2.2 All delegated functions shall be deemed to be exercised on behalf of and in the name of Haslemere Town Council.
- 2.3 The Town Clerk will exercise these powers in accordance with:
- approved budgets
 - the Council's Financial Regulations
 - the Council's Policy Framework and other adopted policies of the Council
 - all statutory common law and contractual requirements
- 2.4 The Town Clerk may do anything pursuant to the delegated power or duty, which it would be lawful for the Council to do including anything reasonably implied or incidental to that power or duty.
- 2.5 Provided that such authorisation is not prohibited by statute, the Town Clerk to whom a power, duty or function is delegated may authorise another Officer to exercise that power, duty or function, subject to:
- such authorisations being in writing

- only be given to an Officer below the delegating officer in the organisational structure
 - only being given where there is significant administrative convenience in doing so
 - the Officer authorised by the Town Clerk acting in the name of the Town Clerk
- 2.6 A delegation to another Council Officer shall not prevent the Town Clerk from exercising the same power or duty at the same time.

3. General Matters

- 3.1 The Town Clerk is authorised to:
- 3.1.1 Sign, or where appropriate, have sealed on behalf of the Town Council, any Orders, Deeds or Documents necessary to give effect to any of the matters contained in reports or in any resolution passed by the Town Council.
 - 3.1.2 Take any proceedings or other steps as may be necessary to enforce and recover any debt owing or other obligation due to the Council.
 - 3.1.3 Institute and appear in any legal proceedings authorised by the Council.
 - 3.1.4 To appear or make representation to any tribunal or public inquiry into any matter in which the Council has an interest (in its own right or on behalf of the citizens of Haslemere).
 - 3.1.5 Alter the date or time of a Council Committee or Working Party but, before doing so, shall consult the Mayor or chairman of the Committee or Working Party about the need for the change and about convenient alternative dates and times.
 - 3.1.6 Decide arrangements for the closure of the Council offices in the Christmas/New Year period, subject to staff contracts.
 - 3.1.7 Deal with day to day matters relating to the use of office accommodation space.
 - 3.1.8 Manage all the Council's current services including but not limited to the following:
 - Tourism and events including Remembrance Sunday and Christmas Carols.
 - Grounds maintenance
 - Public Toilets
 - Christmas Lights
 - Playgrounds
 - Street Furniture
 - Services agreed under contract for other authorities and bodies
 - Website and IT
 - 3.1.9 To act as the Council's designated Officer for the purposes of the Freedom of Information Act 2000.
 - 3.1.10 To apply for planning consent for the carrying out of development by the Council.
 - 3.1.11 To respond to consultations on planning applications and licensing applications subject to the comments by the Planning and Highways Committee.
 - 3.1.12 Under the Regulation of Investigatory Powers Act 2000 to authorise directed surveillance or the use of a human intelligence source.
 - 3.1.13 To respond to complaints made under the Council's complaints procedure.
 - 3.1.14 To manage, monitor and review statutory obligations of the Council as arise from time to time.

4. Financial Matters

- 4.1 The Town Clerk is authorised to:

- 4.1.1 Be the Responsible Financial Officer for the purposes of Section 151 of the Local Government Act 1972.
- 4.1.2 Operate the Council's banking arrangements.
- 4.1.3 Incur expenditure up to a maximum of £7,500 on any item for which provision is made in the appropriate revenue budget provided that any action taken complies with any legislative provisions and the requirements of the Council's Constitution and Financial Regulations.
- 4.1.4 Pay all accounts properly incurred.
- 4.1.5 Pay all subscriptions to organisations to which the Council belongs.
- 4.1.6 Make all necessary arrangements for the provision of an internal and external audit service for the Council.
- 4.1.7 Negotiate settlements in connection with claims made by and against the Council in consultation with the Council's insurers where appropriate.
- 4.1.8 Incur expenditure on revenue items within the approved estimates and budgets under their control.
- 4.1.9 Incur expenditure on capital schemes within the Council's approved capital Programme.
- 4.1.10 Accept quotations or tenders for work supplies or services (where tenders are required by the Council's Financial Regulations), subject to:
 - the cost not exceeding the amount approved estimate
 - the tender being the lowest price or the most economically advantageous to the Council according to the criteria set out in the tender documentation
 - all the requirements of the Council's Financial Regulations being complied with.
- 4.1.11 Compile, approve or vary lists of approved contractors subject to the requirements of the Council's Financial Regulations.
- 4.1.12 Carry out virement of sums between cost centres in accordance with the Council's Financial Regulations and Council resolutions.
- 4.1.13 Manage investments and raise and repay loans as appropriate in accordance with the Financial Regulations and Council resolutions.
- 4.1.14 Authorise action for the recovery of debts.
- 4.1.15 Write-off debts up to the level set by the Council.
- 4.1.16 Maintain a Register of Assets.
- 4.1.17 Determine the Town Council's insurance requirements on the Council's behalf and make all necessary arrangements for the Council's insurances.

5. Staffing Matters

- 5.1 The Town Clerk is given delegated powers to manage the Council staff in accordance with the Council's policies, procedures and budget, including:
 - 5.1.1 Preparation of the job description and person specification, placing of the advertisement and short-listing of applicants.
 - 5.1.2 Management of staff performance.
 - 5.1.3 Exercise of disciplinary and grievance procedures in accordance with the Council's procedures.

- 5.1.4 Authorise payment of travel and subsistence expenses to Members and Officers where they represent the Council outside of the Town Council area.
- 5.1.5 Approve payment of overtime.
- 5.1.6 Agree minor variations to the condition of employment.
- 5.1.7 Implement and monitor the arrangements for annual leave, flexi time, sickness absence, maternity and paternity leave in accordance with the Council's policies.
- 5.1.8 Authorise training in line with the Council's policies.
- 5.1.9 Authorise the provision of uniforms or protective clothing.
- 5.1.10 Approve payment of claims from employees for compensation for loss of or damage to personal property.
- 5.1.11 In consultation with the Staffing Committee, terminate employment during probation and to review salary on completion of probationary periods.
- 5.1.12 Commission legal and professional advice on staffing matters.

6. Property Matters

- 6.1 The Town Clerk is given authority to manage the land and property of the Council including:
 - 6.1.1 Agreeing the terms of any lease, licence, conveyance or transfer.
 - 6.1.2 The granting or refusal of an application to rent Lion Green, Council Chamber or other property owned or maintained by the Council.
 - 6.1.3 The granting or refusal of a request to place a banner or other object on any land owned or maintained by the Council.
 - 6.1.4 Initiating legal action or proceedings against unauthorised encampments or encroachments on Council land.
 - 6.1.5 Exercising responsibility for the safe custody and maintenance of the civic regalia.
 - 6.1.6 Use the Maintenance and Replacement Budgets for the maintenance, replacement or repair of the Council's assets.

7. Urgency

- 7.1 The Town Clerk is authorised to act on behalf of the Council in cases of urgency or emergency. Any such action is to be reported to the next meeting of the Council or relevant Committee or Working Group. The Mayor and the Chairman of any relevant Committee or Working Party are to be consulted where possible before such action is taken.

8. Emergency Planning

- 8.1 The Town Clerk is authorised to:
 - 8.1.1 Implement the Council's Emergency Plan and to incur any necessary expenditure. Any such action is to be reported to the next meeting of the Council or relevant Committee or Working Group. The Mayor and the Chairman of any relevant Committee or Working Party are to be consulted where possible before such action is taken.

9. Procedural

- 9.1 The Town Clerk is authorised to:
 - 9.1.1 Authorise Officers to exercise statutory powers of entry and inspection for the purposes of any function under their control.
 - 9.1.2 Serve requests for information as to ownership occupation and other interests in land for the purposes of any function under their control.
 - 9.1.3 Appoint consultants and other professionals to carry out any function and provide any service under their control.

10. Health and Safety at Work Act 1974

- 10.1 To oversee the discharge of the Council's responsibilities under the Act.

11. Legal Proceedings

- 11.1 The Town Clerk is authorised to:
 - 11.1.1 Take and discontinue legal proceedings in any Court or at any Tribunal.

- 11.1.2 Take Counsel's advice or instruct Counsel to represent the Council.
- 11.1.3 Seek injunctions and commence proceedings for the purposes of:
- enforcement in accordance with the Council's policies
 - recovering money due to the Council
 - recovering or otherwise preserving possession of the Council's land or property
 - defending the interests of the Council
 - appealing against a decision affecting the interests of the Council and responding to appeals against action taken by the Council.
- 11.1.4 Represent the Council at Court or any Tribunal or to make arrangements for appropriate representation.
- 11.1.5 Negotiate and settle the terms of documents to give effect to a decision of the Council or any of the Committees or of any Officer acting under delegated powers.
- 11.1.6 Be the responsible Officer for the co-ordination and operation of the legal requirements under the Data Protection Act and the Freedom of Information Act.
- 11.1.7 Serve Requisitions for Information.
- 11.1.8 Prepare a draft budget for consideration by the Council.
- 11.1.9 Prepare the final accounts for each financial year.

12. Emergency Powers

- 12.1 The powers in this section apply only where Council is unable to meet or becomes inquorate due to an emergency.
- 12.2 During such time the Clerk is delegated to make all decisions on behalf of the Council in order that it can continue to carry out its statutory functions. Where possible decisions will be made in conjunction with the Mayor and Chair of Staffing (or their deputies if they are not available).

13. Review of Scheme of Delegation

- 13.1 This Scheme of delegation shall be reviewed once each Council term and at each change of Clerk.



Haslemere Town Council

Equality Policy

(Adopted 2019, reviewed 2023)

Policy Statement

Haslemere Town Council recognises that discrimination and victimisation is unacceptable. It is the aim of the Council to ensure that no one with whom the Council interacts receives less favourable facilities or treatment (either directly or indirectly) on grounds of age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation (the protected characteristics).

We oppose all forms of unlawful and unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the staff will be fully utilised to maximise the efficiency of the organisation.

In the provision of the Council's services our staff will not discriminate directly or indirectly, or harass contractors, residents or anyone looking to use the Council's services because they possess one of the protected characteristics.

This policy and the associated arrangements shall operate in accordance with statutory requirements. In addition, full account will be taken of any guidance or Codes of Practice issued by the Equality and Human Rights Commission, any Government Departments, and any other statutory bodies.

Our Commitment to our Staff

- i. To create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- ii. Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- iii. Training, development and progression opportunities are available to all staff.
- iv. To promote equality in the workplace which we believe is good management practice and makes sound business sense.
- v. Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- vi. The policy will be monitored and reviewed regularly.

Management Responsibilities

Responsibility for ensuring the effective implementation and operation of the arrangements will rest with the Town Clerk and Staff Committee who will ensure that they and Town Hall staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to avoid discrimination. The Town Clerk will ensure that:

- all their staff are aware of the policy and the arrangements, and the reasons for the policy;
- grievances concerning discrimination are dealt with properly, fairly and as quickly as possible;
- proper records are maintained.

Staff Responsibilities

Responsibility for ensuring that there is no unlawful discrimination rests with all staff and the attitudes of staff are crucial to the successful operation of fair employment practices. In particular, all members of staff should:

- comply with the policy and arrangements;
- not discriminate in their day to day activities or induce others to do so;
- not victimise, harass or intimidate other staff or groups who have, or are perceived to have one of the protected characteristics.
- ensure no individual is discriminated against or harassed because of their association with another individual who has a protected characteristic.
- inform their manager if they become aware of any discriminatory practice.

Third Parties

Third-party harassment occurs where a Council employee is harassed, and the harassment is related to a protected characteristic, by third parties. Haslemere Town Council will not tolerate such actions against its staff, and the employee concerned should inform the town Clerk at once that this has occurred. Haslemere Town Council will fully investigate and take all reasonable steps to ensure such harassment does not happen again.

Our commitment to our community

Mindful of the diversity of our population, we declare that the principle of equal opportunity shall apply not only to staff, but to all in our community, including councillors and residents alike. In everything that we do, we shall seek to treat all with equal consideration and respect.

Related Policies and Arrangements

All employment policies and arrangements have a bearing on equality of opportunity. The Council policies will be reviewed regularly and any discriminatory elements removed.

Grievance and discipline

Employees have a right to pursue a complaint concerning discrimination or victimisation via the procedure set out in their contract of employment.

Discrimination and victimisation will be treated as disciplinary offences and they will be dealt with under the Council Disciplinary Procedure staff were provided with on appointment.



HASLEMERE TOWN COUNCIL

FINANCIAL REGULATIONS

(ADOPTED SEPTEMBER 2019)

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1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - Identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly. In the Clerk's absence the Deputy Clerk will act as the council's RFO.

¹ Model standing orders for councils are available in Local Councils Explained © 2013 National Association of Local Councils

- 1.9. 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 accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;

- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors,

shall be a matter for the full council only.

1.14. In addition the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve a single commitment in excess of £7,500.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

- 2.2. At least once in each quarter, and at each financial year end, chair of the Finance and Governance Committee shall verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be 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 for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.

- 2.7. Internal or external auditors may not under any circumstances:
- perform any operational duties for the council;
 - initiate or approve accounting 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.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. 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 statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. The RFO must each year, by no later than November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the council.
- 3.2. The council's budget setting process shall be as set out in the budget setting procedure adopted by council and reviewed at least once each council term.
- 3.3. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.4. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure may be incurred up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- the Council for all items over £3000;
 - the Amenities Committee² for items over £1000 and less than £3000;
 - the Infrastructure & CIL Committee³ for items up to £5000; or
 - The Clerk, in conjunction with the Mayor or relevant Committee Chairman for any items below £1500.⁴

² Amenities ToR

³ Cil ToR

⁴ Currently £1000

In addition to this the Clerk may incur such expenditure on behalf of the Council as is set out in the Clerk's delegation schedule.

Such authority is to be evidenced by a minute or by some other record deemed acceptable by the Clerk.

- 4.2. The Town Clerk is authorised to vire money between budget headings in order to reflect changing requirements throughout the year. Any such virement is to be reported to the Council.
- 4.3. At each full Council meeting, the RFO shall provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget.
- 4.4. The Town Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, in accordance with the Clerk's Delegation Schedule. The Town Clerk shall report the action to the Council as soon as practicable thereafter.
- 4.5. No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 4.6. All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.
- 4.7. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.
- 5.3. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading.
- 5.4. The RFO shall have delegated authority to set-up the payment of the following, which are then authorised by two council Members:

- a) Items which the RFO is satisfied that Council has pre-authorised by way of including in the annual budget:
 - b) Items where a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998.
 - c) Expenditure items authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or
 - d) Fund transfers within the councils banking arrangements up to the sum of £25,000.
 - e) A list of such payments shall be submitted to the next appropriate meeting of council.
- 5.5. In respect of grants, a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council.
- 5.6. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.7. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.8. Any amendments to recorded suppliers bank account records, shall be approved by two Members on the online banking system, written evidence of the change from the supplier must be provided by the RFO.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, RFO shall give instruction that a payment shall be made.
- ~~6.3. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.⁵~~
- 6.4. Cheques or orders for payment drawn on the bank account shall be signed by two members of council and countersigned by the Clerk.
- 6.5. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

⁵ Delete as superseded elsewhere

- 6.6. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.7. All payments made between Council meetings will be reported to the next meeting.
- 6.8. The RFO has delegated authority to set up Direct Debit payments in relation to the Council's utility bills.
- 6.9. If thought appropriate by the council payment for certain items may be made by internet banking transfer / BACS / CHAPS provided evidence is retained showing which members approved the payment.
- 6.10. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.11. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.12. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 6.13. Where internet banking arrangements are made with any bank, the Clerk shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.14. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.15. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk or Deputy Clerk and shall be subject to automatic payment in full at each month-end.
- 6.16. The council will not maintain any form of cash float. All cash received must be banked intact.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the relevant committee.
- 7.4. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.5. An effective system of personal performance management should be maintained for the senior officers.
- 7.6. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy.
- 8.4. All investments of money under the control of the council shall be in the name of the council.
- 8.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.6. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. The council will review all fees and charges at least once each Council term, following an officer report.
- 9.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.4. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 9.5. The origin of each receipt shall be entered on the paying-in slip.
- 9.6. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.7. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.8. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.9. Any income arising which 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 (see also Regulation 16 below).

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order, letter or email shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate.
- 10.2. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11.1 below.
- 10.3. A member may not issue an official order or make any contract on behalf of the council.

- 10.4. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. CONTRACTS

- 11.1. Procedures as to contracts are laid down as follows:

- a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vii) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;
 - v. for work to be executed or goods or material to be supplied by contractors on the Council's approved contractor list 2022;
 - vi. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Mayor or Chair of Finance and Governance); and
 - vii. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations.
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g. Any invitation to tender issued under this regulation shall be subject to Standing Orders 18 and shall refer to the terms of the Bribery Act 2010.
- h. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £500 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.2 above shall apply.
- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- j. Should it occur that 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, provided that the specification does not change, 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.

12. ASSETS, PROPERTIES AND ESTATES

- 12.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 12.2. 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, save where the estimated value of any one item of tangible movable property does not exceed £250.
- 12.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing 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).
- 12.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing 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).
- 12.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 12.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. 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.

13. INSURANCE

- 13.1. Following the annual risk assessment, the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 13.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 13.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

- 13.4. 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.

14. CHARITIES

- 14.1. Where the council is sole managing trustee of a charitable body the Clerk 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 Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

15. RISK MANAGEMENT

- 15.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk assessment policy in respect of all activities of the council. Risk assessment policy and consequential risk management arrangements shall be reviewed by the council at least annually.
- 15.2. When considering any new activity, the Clerk shall, where appropriate, prepare a draft risk assessment including risk assessment proposals for consideration and adoption by the council.

16. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 16.1. It shall be the duty of the council's Finance and Governance committee to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 16.2. The council may, by resolution of the council 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 drawn up and presented in advance to all members of council.

****Document Ends****



Haslemere Town Council **Guidelines for public speaking at Council Meetings.** **(Adopted 2015, reviewed February 2023)**

Haslemere Town Council welcomes participation at all its public meetings from residents and other external bodies where appropriate. Meetings are 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 any other special reasons.

There is limited space in the Council chamber. In addition to Town Councillors, staff and press up to around 20 members of the public can be comfortably accommodated (at the discretion of the Clerk). It is imperative that the Town Clerk is notified as far in advance as possible if a large number of residents wish to attend. This gives Council time, if necessary, to find an alternative location and prevents the meeting having to be abandoned if the Clerk judges there is a Health and Safety issue.

Full Council and Committee meetings.

Questions from the Public

Questions from residents do not have to be notified to the Council in advance but it is helpful so that Council can do any necessary preparation before hand. Residents are encouraged to contact the Town Clerk or Committee Clerk as soon as possible before the meeting to discuss.

After Apologies for Absence, the person presiding may for a period of up to fifteen minutes in total, permit members of the public present at the meeting, and either resident in the Town or with a business in the Town to do one of the following:

- i. Make a statement; or
- ii. Ask a question relating only to the business of the Council or relevant Committee; or
- iii. Present a petition of at least ten signatures;
provided that:
 - i. The person presiding at the meeting may, at their discretion, defer the presentation, question or petition until the appropriate point in the agenda;
 - ii. No more than one member of the public shall be permitted to speak for or against any one subject;
 - iii. The member of the public shall identify him/herself before speaking at the meeting;
 - iv. All matters shall be addressed to the Chairman and the time allowed for making a statement or asking a question shall not exceed **four minutes**, unless directed by the Chairman of the meeting;
 - v. The person presiding may allow Councillors to ask questions of the member of the public to clarify what is being said.
 - vi. All responses to statements, questions or petitions shall be given by the person presiding at the meeting without debate, save that the person presiding may direct that a response be referred to an employee for a written or oral response.

Representation by External Bodies (Full Council only)

After questions by the public, external bodies may, by prior agreement with the Town Clerk, make a presentation to Council. The Town Clerk needs to be notified of a body's intention to speak at least 7 working days before the meeting. This is to prevent several bodies turning up at the same meeting and then not being permitted to speak due to time restraints.

Presentation by external bodies are normally limited to 15 minutes but this may be varied at the discretion of the Chairman.

DRAFT



**HASLEMERE TOWN
COUNCIL
STANDING
ORDERS
(ADOPTED MARCH 2021)**

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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 chairman of the meeting.
- b Any motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c 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.
- d A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f The amendment to a motion shall be voted on before the original motion.
- g 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.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- i A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- j When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t A decision on a topic ends discussion upon it and the Council must move to next business. The Chairman must rule out of order any attempt to re-open the previous topic.

7. DISORDERLY CONDUCT AT MEETINGS

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

8. MEETINGS GENERALLY

The rules in this section apply to all meetings unless it is indicated that they only apply to:

Full Council meetings ●

Committee meetings ●

Sub-committee meetings ●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **Alcohol may not be consumed whilst any Council meeting is in session**
- c **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.**
- 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 Remote or hybrid meetings may also be held providing details have been published to allow public access
- ● f 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.
- ● g The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.

- h Subject to standing order 3(f), a member of the public shall not speak for more than 4 minutes however the Chairman has discretion to extend the time a member of the public can speak. In the case of a Planning meeting, if the Chairman uses their discretion to extend the time a member of the public can speak in favour or against a specific planning application, they must ensure that the person speaking on the opposing view has the same amount of time.
- i In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- j A person shall raise his hand when requesting to speak.
- k A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- l Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- m **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- n **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- o **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.**
- p **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor of the Council may in his absence be done by, to or before the Deputy Mayor of the Council.**
- q **The Mayor of the Council, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor of the Council, if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting the Town Clerk shall call for a nominee from the floor to take the chair. If discussion arises on this motion the Town Clerk shall exercise the powers of the person presiding to regulate that discussion, and to maintain order at the meeting. In that event, for the avoidance of doubt, the Town Clerk shall not have the right to vote on any nomination or matter.**
- r **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.**

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

When exercising his casting vote, the chairman is not obliged to vote the same way as he did in the original vote.

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

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

- u 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. if councillors leave or join the meeting at any time after it has started;
- iv. interests that have been declared by councillors and non-councillors with voting rights;
- v. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- vi. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vii. if there was a public participation session; and
- viii. the resolutions made.

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

- w **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.

- x **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.

- y A meeting shall not exceed a period of 2.5 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. shall permit a committee to appoint its own chairman at the first meeting of the committee;**
 - vi. 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;**
 - vii. 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 Mayor and Deputy Mayor of the Council.**
- f The Mayor of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**

- g **The Deputy Mayor of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Mayor of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Mayor of the Council has been elected. The current Mayor of the Council shall not have an original vote in respect of the election of the new Mayor 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 Mayor of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Mayor of the Council has been elected. He may exercise an original vote in respect of the election of the new Mayor of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Mayor and Deputy Mayor of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Mayor 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 Mayor of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Appointment of members to existing committees;
 - vi. Appointment of any new committees in accordance with standing order 4;
 - vii. Review of representation on or work with external bodies and arrangements for reporting back;
 - viii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - ix. Review of the Council's and/or staff subscriptions to other bodies;

⌘ **EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

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

- b **If the Mayor of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the chairman of a committee or a sub-committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.

PREVIOUS RESOLUTIONS

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

VOTING ON APPOINTMENTS

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

MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 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 four clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be placed on the Agenda 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 either before or when the Agenda is published, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Subject to the publication of draft minutes in accordance with standing order 12(c) 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 he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by 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 District 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(c) for the meaning of clear days for a meeting of a full council and 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 his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Mayor of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;

(see also standing order 23);

- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. Carry out any additional duties as contained in the Clerk's delegation schedule;
- xv. manage access to information about the Council via the publication scheme.

16. RESPONSIBLE FINANCIAL OFFICER

- a The Clerk shall act at the Council's RFO, in the Clerk's absence the Deputy Clerk shall undertake the responsibilities of the RFO.

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 Six times per year with each Full Council Agenda, the Responsible Financial Officer shall supply to each councillor :
 - i. the Council's receipts and payments (or income and expenditure) since the last meeting;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
- iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d At each May Full Council meeting, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

17 FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least once per Council term for fitness of purpose.

~~e. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).~~

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).

- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised **in a local newspaper and in¹ any other manner** that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

~~f. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.~~

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.

¹ Tender process (mentions local press), financial regs & Amenities ToR also deal with tenders

g. — A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

19 HANDLING STAFF MATTERS

- a Management of the Council's staff is set out in the Staffing Committee Terms of Reference.
- b Day to day management of staff is the responsibility of the Town Clerk.
- c Staffing Committee has delegated authority to act on behalf of the Council in staffing matters.
- d Staff grievances will be dealt with in accordance with the Council's adopted Grievance Procedure.
- e 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.
- f 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.**

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

21 RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

See also standing order 11.

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

22 RELATIONS WITH THE PRESS/MEDIA

- a All requests from the Press or other media for an oral or written statement or comment from the Council shall be dealt with by the Town Clerk.
- b Councillors shall not, on behalf of the Council, provide oral or written statements or written articles to the press or other media without a resolution of the Council.
- c Councillors may make personal statements to the press/media but must explicitly state that these are personal opinions and not those of the Council as a whole.

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 DISTRICT AND COUNTY COUNCILLORS

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

25 RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a Unless duly authorised no councillor shall issue orders, instructions or directions to either Council employees or contractors.

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

27 MEMBER TRAINING

- a In each election year all Members are expected to attend induction training arranged by the Town Clerk. Members who are unable to make the induction event will be required to meet with the Town Clerk at a mutually convenient time before the May council meeting.
- b In an election year all members of the Planning committee must attend training as provided and are expected to attend planning update and briefing training as provided from time to time.
- c All Councillors have the duty to stay up to date with issues affecting the sector. Information will be provided by the Town Clerk as necessary, including training schedules from SSALC and other reputable providers.
- d The Town Clerk will maintain a training log for each Council Member.
- e Failure of councillors to attend required training events may lead to their removal by Council from its committees or sub-committees.

I confirm that these standing orders were adopted by Haslemere Town Council at March 2021 meeting of Full Council.



Councillor John Robini

Town Mayor