



**Minutes of the Annual Meeting of Lapley, Stretton & Wheaton Aston Parish Council held on Thursday 6<sup>th</sup> May 2021 held virtually via Zoom conferencing system.**

**Remotely in attendance:**

Cllr T Noblett	Wheaton Aston (Out-going Chairman)
Cllr W Millington	Wheaton Aston (Out-going Vice Chairman)
Cllr Sue Whittingham	Wheaton Aston (Dropped in and out of the meeting due to technical problems)
Cllr R Nelson	Wheaton Aston
Cllr A Anderson	Stretton
Cllr M Smith	Wheaton Aston
Cllr E Dadd	Stretton
Cllr S Whittingham	Wheaton Aston
Cllr M Griffiths	Lapley
Cllr V Renfrew	Lapley

**Also in Attendance:**

Mrs K Daker	Assistant Parish Clerk
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**Apologies:**

Cllr M Sutton	Staffordshire County Council
Cllr J Hodgkiss	Wheaton Aston
Mrs A Watson	Parish Clerk

**Absent:**

Cllr M Griffiths	Lapley
Cllr V Jackson	Staffordshire District Council
Cllr B Cox	Staffordshire District Council

**Public Forum** – Three members of the public were virtually present. None wished to speak

**Standing orders were imposed 7.02pm**

**1. Election of Chairman**

Cllr W Millington was proposed & seconded and elected Chairman for the forthcoming year  
**Cllr W Millington is to return the acceptance of office form electronically**

Cllr W Millington took the Chair

**2: Election of Vice-Chairman**

Cllr A Anderson and Cllr M Smith were proposed & seconded. Cllr A Anderson was elected as vice- Chairman for the forthcoming year  
**Cllr A Anderson is to return the acceptance of office form electronically**

**3. To consider apologies**

Apologies and reasons of absence were accepted from Cllr J Hodgkiss and Cllr M Sutton

#### 4. Declaration of Interest/Dispensation

No declarations of interest or dispensations were received.

**Matter of Report:** Cllrs were reminded of the need to update their Pecuniary interest form. Only Cllr A Anderson advised of the need to update her form.

#### 5. To consider membership and delegated powers of:

- a) **Disciplinary and Grievance Panel** – A Anderson, M Griffiths, J Hodgkiss
- b) **Staff Appeals Panel** - A Anderson, T Noblett, V Renfrew
- c) **Defibrillator Committee** - W Millington, R Nelson, V Renfrew, Sue Whittingham
- d) **Traffic management committee** - A Anderson, T Noblett, R Nelson, W Millington, M Smith, Sue Whittingham

##### **Disciplinary and Grievance Panel**

a) To the panel to make recommendations to the Parish Council with reference to the disciplinary and grievance procedures in accordance with the Council's policy including issuing formal warning, suspension and dismissal.

##### **Staff Appeals Panel**

a) To the panel to make recommendations to the Parish Council with reference to the appeal sections of the disciplinary and grievance procedures in accordance with the Council's policies.

##### **Defibrillator Committee**

a) To implement an appropriate level of coverage of defibrillator within the parish. This committee must commit to the designate Terms of Reference

##### **Traffic Management Committee**

a) To consider issues raised regarding traffic and highway concerns within the Parish. This committee must commit to the Terms of Reference, **Resolved** the Term of Reference are to be approved

##### **Parish Council Clerk**

- a) To incur expenditure within the 2020/21 budget and arrange relevant payments as deemed appropriate.
- b) To devolve powers abiding by the Scheme of Delegation

#### 6. Working Group Memberships: **Resolved:** To approve the membership of working groups as follows:

- **Christmas Lights Working Group (5 members)** - A Anderson, E Dadd, M Griffiths, J Hodgkiss, W Millington, T Noblett, V Renfrew, S Whittingham, Sue Whittingham
- **Forward Planning & Finance Working Group (7 members)** - A Anderson, M Griffiths, J Hodgkiss, W Millington, R Nelson, T Noblett, M Smith, Sue Whittingham
- **Parish Maintenance Working Group (7 members)** - A Anderson, M. Griffiths, R Nelson, W Millington, T Noblett, V Renfrew, S Whittingham, Sue Whittingham
- **Planning Working Group (5 members)** - E Dadd, M Griffiths, W Millington, T Noblett, V Renfrew, M Smith, Sue Whittingham
- **HR Working group** - A Anderson, T Noblett, W Millington, Sue Whittingham

#### 7. Appointment of any new committees or working groups, their term of reference and membership

**Resolved:** Lapley Green working group to be kept until the work has been done on the village green application.

#### 8. To consider the appointment of Representatives to outside bodies.

**Resolved:** To appoint the representatives as follows:

- a) Lapley & Wheaton Aston Village Hall Management Committee – J Hodgkiss, R Nelson, T Noblett

- b) Lapley & Wheaton Aston Recreation Ground Committee – S Whittingham
- c) Lapley & Wheaton Aston Old People’s Welfare Committee - T Noblett
- d) Wheaton Aston Community First Responders – Sue Whittingham
- e) Staffordshire Police Locality Accountability Forum – A Anderson, W Millington
- f) Parish Charities Trustees - M Griffiths, J Hodgkiss, T Noblett

### 9. Signing of the minutes

The minutes of the Parish Council meeting held on 22<sup>nd</sup> April 2021 were agreed to be a true and Correct copy. Cllr Millington will sign a copy as soon as is practically possible

### 10. Financial matters. Resolved:

- a) To accept the Financial Summary to 31<sup>st</sup> March 2021
- b) To accept the 2020/21 Balance Sheet
- c) To accept the Annual Return Governance Statement
- d) To accept the Annual Return Accounting Statement
- e) To accept the Internal Independent Auditor’s Report
- f) To accept the inspection period (14<sup>th</sup> June- 23<sup>rd</sup> July) Noted that this year this will be done remotely (where possible) due to the Coronavirus Pandemic
- g) To accept payments/decisions made under delegated powers

### 11. Policy Review

**Resolved:** the below policies have been reviewed and accepted

- Insurance policy
- Code of Conduct
- Financial Regulations
- Standing Orders
- Asset Register
- Scheme of Delegation
- Infectious Disease Policy
- Complaints Procedure
- Media Policy
- FOI Scheme
- Internal Governance

### 12. General Power of Competence

**Resolved** to reaffirm the General Power of Competence as the conditions stated have been met: a) the number of Councillors elected at the last ordinary election, or at a subsequent by-election, equals or exceeds two thirds of its total number of Councillors (does not include co-options since the election) b) The Parish Clerk holds at least one of the sector specific qualification.

### 13. Grant request distribution

The First Responders have confirmed that they have a healthy bank balance and are not in need of this year’s grant. **Resolved** to add the grant to the reserves allocated for defibrillator maintenance. This could be used to pay for replacement batteries/pads.

### 14. Return to face to face meetings

**Resolved:** To purchase a screen for the office desks to allow the clerk and assistant clerk to work in the office together. Working group meetings to continue over zoom. This will be reviewed at the July Meeting as a number of councillors have problems with their broadband. **Matter of Report** - The Clerk is working on a risk assessment for the return to physical meetings but needs to know how many people can go in the hall and needs a copy of the risk assessment from the village hall committee to build it into the Parish Council risk assessment. The clerk will buy visors all to wear.



## Financial Summary - Cashbook

Summary between 01/04/20 and 31/03/21 inclusive.

Balances at the start of the year

### Ordinary Accounts

Barclays savings account	£60,450.58
Fair FX prepaid card	£71.66
Unity Trust - Current Account	£18,978.30
Unity trust working reserves	£16,492.68
Total	£95,993.22

RECEIPTS	Net	Vat	Gross
Parish Council	£133,017.99	£0.00	£133,017.99
Total Receipts	£133,017.99	£0.00	£133,017.99

PAYMENTS	Net	Vat	Gross
Parish Council	£104,370.64	£8,679.67	£113,050.31
Total Payments	£104,370.64	£8,679.67	£113,050.31

Closing Balances

### Ordinary Accounts

Barclays savings account	£52,002.85
Fair FX prepaid card	£89.17
Unity Trust - Current Account	£36,145.22
Unity trust working reserves	£27,723.66
Total	£115,960.90

Uncleared and Unpresented effects

Statement Closing Balances

### Ordinary Accounts

Barclays savings account	£52,002.85
Fair FX prepaid card	£89.17
Unity Trust - Current Account	£36,145.22
Unity trust working reserves	£27,723.66
Total	£115,960.90

## Financial Budget Comparison

**Comparison between 01/04/20 and 31/03/21 inclusive.**

Excludes transactions with an invoice date prior to 01/04/20

<b>2020/2021</b>		<b>Reserve</b>	<b>Actual Net</b>	<b>Balance</b>	
<b>Movements</b>					
<b>INCOME</b>					
<b>Parish Council</b>					
4	FX card	£410.00	£0.00	£0.00	£-410.00
10	Precept	£118,067.00	£0.00	£118,067.00	£0.00
20	Grants	£0.00	£0.00	£170.00	£170.00
32	Unity Trust Bank Interest	£0.00	£0.00	£0.00	£0.00
33	Reserve Account Interest	£0.00	£0.00	£15.98	£15.98
40	Miscellaneous	£0.00	£0.00	£528.61	£528.61
45	Crime Prevention	£0.00	£0.00	£2,182.00	£2,182.00
50	Barclay's Savings Account	£0.00	£0.00	£58.27	£58.27
90	Prizes and Awards	£0.00	£0.00	£0.00	£0.00
99	Vat Refund	£0.00	£0.00	£11,996.13	£11,996.13
<b>Total Parish Council</b>		<b>£118,477.00</b>	<b>£0.00</b>	<b>£133,017.99</b>	<b>£14,540.99</b>
<b>Total Income</b>		<b>£118,477.00</b>	<b>£0.00</b>	<b>£133,017.99</b>	<b>£14,540.99</b>
<b>EXPENDITURE</b>					
<b>Parish Council</b>					
100	General Administration	£24,457.00	£0.00	£17,365.48	£7,091.52
110	Salaries	£49,855.00	£0.00	£44,675.14	£5,179.86
120	Repairs & Grounds Maintenance	£28,750.00	£0.00	£19,856.25	£8,893.75
130	Villages' Improvements	£3,350.00	£0.00	£591.90	£2,758.10
140	Play Areas	£6,160.00	£0.00	£5,350.96	£809.04
150	Subscriptions	£762.00	£0.00	£701.00	£61.00
160	Christmas Celebrations	£10,351.00	£0.00	£7,274.61	£3,076.39
170	Debit Card - General Expenses	£460.00	£0.00	£507.52	£-47.52
180	Donations	£4,000.00	£0.00	£3,532.35	£467.65
190	CCTV	£840.00	£0.00	£1,563.68	£-723.68
200	Capital Expenditure	£0.00	£0.00	£0.00	£0.00
201	councillor tablet	£3,500.00	£0.00	£2,951.75	£548.25
<b>Total Parish Council</b>		<b>£132,485.00</b>	<b>£0.00</b>	<b>£104,370.64</b>	<b>£28,114.36</b>
<b>Total Expenditure</b>		<b>£132,485.00</b>	<b>£0.00</b>	<b>£104,370.64</b>	<b>£28,114.36</b>
Total Income		£118,477.00	£0.00	£133,017.99	£14,540.99
Total Expenditure		£132,485.00	£0.00	£104,370.64	£28,114.36
<b>Total Net Balance</b>		<b>£-14,008.00</b>		<b>£28,647.35</b>	

**Balance Sheet Unaudited**

31/03/20	31/03/21	
£	£	
Current assets		
0.00	Investments	0.00
0.00	Loans Made	0.00
0.00	Investment	0.00
0.00	Stocks	0.00
0.00	VAT Recoverable	0.00
0.00	Debtors	0.00
0.00	Payment in Advance	0.00
95,993.22	Cash in Hand & at Bank	115,960.90
95,993.22	TOTAL CURRENT ASSETS	115,960.90
95,993.22	TOTAL ASSETS	115,960.90
Current liabilities		
0.00	Loans Received	0.00
0.00	Temporary Borrowing	0.00
0.00	VAT Payable	0.00
0.00	Receipts in Advance	0.00
0.00	TOTAL CURRENT LIABILITIES	0.00
95,993.22	TOTAL ASSETS LESS CURRENT LIABILITIES	115,960.90
0.00	Deferred Liabilities	0.00
95,993.22	NET ASSETS	115,960.90
Represented by		
22,176.22	General Fund	11,338.90
3,562.00	Election	4,062.00
52,000.00	Contingency (3 months precept)	52,000.00
2,000.00	Projects	2,000.00
0.00	Primrose Bank Play Equipment.	0.00
5,000.00	Wheaton Aston Village Car Park	5,000.00
2,000.00	Marston Road Youth Shelter	2,000.00
2,500.00	Marston Road Skate Park	2,500.00
2,500.00	Marston Road Play Equipment	9,000.00
1,500.00	Office Equipment	1,500.00
500.00	War Memorial Repair	500.00
0.00	Bus Shelter Repair/Replacement	0.00
155.00	Chairman's Chain Replacement	155.00
Drainage		
0.00	Drainage at Marston Field	0.00
200.00	Christmas	350.00
600.00	Surfaces	600.00
1,000.00	Birkenshaw Lane Clearance	1,000.00
300.00	Defib and kiosk	2,605.00
0.00	Clerk absence contingency	3,500.00
0.00	notice board WA	2,500.00
0.00	Crime Prevention	600.00
Clerk training		
0.00	Reserve to fund future qualifications	250.00
0.00	Map board	2,000.00
0.00	Speed indicator devices	6,500.00
0.00	Lapley Cemetery repairs to highway	2,000.00
0.00	Lapley Green reserve	4,000.00
95,993.22		115,960.90

## **LSWA Parish Council**

### Terms of Reference Traffic Management Committee

#### **Membership of the Committee**

- a) Membership of the committee will be as decided at the Annual Parish Council meeting each year, subject to the proviso that the chairman and vice-chairman of the Parish Council shall, in any event, be *ex officio* members.
- b) Any changes in membership of the committee after the Annual Parish Council meeting shall be subject to approval at the next Full Council meeting.
- c) The quorum of the committee shall be half of its members or three whichever is the greater.

#### **Chairman**

- a) The chairman of the committee will be elected by the committee at its first meeting after the Annual Parish Council meeting.

#### **Function**

To provide resolutions to any traffic/ road Management issues' raised within the Parish

#### **Conduct of Meetings**

- a) All meetings of the committee will be convened in accordance with the Parish Council's standing orders.
- b) Meetings will be minuted by the Clerk to the Council, another member of staff or a member of the committee.

#### **Powers of the committee**

The committee shall be empowered to:

- Make decisions on behalf of the council concerning issues raised with in the Parish regarding road and traffic. This may include committing expenditure and engaging with other agencies to resolve the issues and furthering relationships with associated bodies
- To recommend to the Parish Council appropriate budget provisions for the current and coming financial years for items within the committee's remit.
- To approve or comment upon actions taken and reported by the Parish Clerk on such matters.
- To consider all aspects of road safety in order to meet the purpose of this committee's function.
- To incur expenditure on behalf of the council in accordance with Financial Regulations.
- The Committee is to consider the best scheme of management and governance and implement.
- The Committee may apply for and receive donations from other parties, such as Staffordshire County Council, Staffordshire Police and South Staffordshire Council, and equipment or funds to progress the project. These items must be reported to Full Council
- Liaise with relevant associated bodies on the maintenance and approve maintenance to be carried out outside of the Council



**LAPLEY, STRETTON AND WHEATON ASTON PARISH COUNCIL**  
**COUNCIL CODE OF CONDUCT FOR COUNCILLORS**

**Introduction**

This Code of Conduct ("the Code") was adopted by Lapley, Stretton and Wheaton Aston Parish Council ("the Council") as required by Section 27 of the Localism Act, 2011 ("the Act") at a meeting of the Council held on 6<sup>th</sup> May 2021.

The Council has a statutory duty under the Act to promote and maintain high standards of conduct by members and co-opted members of the Council ("the members").

This means that the Council expects Members to follow this Code when they are conducting the work of the Council, representing the Council on any external organisation, and otherwise acting in their official capacity.

The Code of Conduct does not apply to what Members do in their private and personal lives<sup>1</sup>.

**Due to the Coronavirus Pandemic the Coronavirus Regulation Act 2020 has been implemented. Councillors are to email the Clerk with agreement to the Code of Conduct and sign as soon as it is practically possible**

**Part One - Standards of Conduct**

As a member of the Council you must have regard to, and act in accordance with, the following principles of standards of conduct<sup>2</sup>:

**1. Selflessness**

You should serve only in the public interest, and should never improperly confer an advantage or disadvantage on any person, organisation or group, or any other third party<sup>3</sup>.

**2. Honesty and Integrity**

You should not place yourself in situations where your honesty and integrity may be questioned, you should not behave improperly and should avoid the appearance of such behaviour.

**3. Objectivity**

You must make decisions based on the information before you, having had regard to any professional advice provided to you and in accordance with your view of the public interest. You should make decisions on merit, this includes when making appointments, awarding contracts, or recommending individuals for awards or other recognition.

**4. Accountability**

You are accountable to the public for your decisions and actions and the manner in which you carry out your duties. You must co-operate fully and honestly with any scrutiny appropriate to your office. You should not undertake any action which would bring the Council, your position, or the position of Members generally, into disrepute.

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<sup>1</sup> When engaging in political activities such as canvassing for re-election Members are not acting in their official capacity, and for the purposes of this Code of Conduct, such political activities are considered part of a Member's private and personal life.

<sup>2</sup> And in accordance with any supplementary guidance or protocols agreed by the authority from time to time – in particular the Planning Protocol and the Social Media Protocol

<sup>3</sup> This does not mean that Members are under any obligation to support or become involved in all requests for assistance from their constituents.

## 5. Openness

You must be as open as possible about your actions and those of the authority, and should be prepared to give reasons for those actions.

## 6. Leadership

You must promote and maintain high standards of conduct by supporting these principles by leadership and by example, and should act in a way that secures or preserves the confidence of others. You must have due regard to the impartiality and integrity of the authority's statutory officers and its other employees<sup>4</sup>.

## Part Two – General Obligations

## 7. Behaviour

(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be:

- (i) a complainant,
- (ii) a witness, or
- (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

## 8. Confidentiality - You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

- (i) you have the consent of a person authorised to give it;
- (ii) you are required by law to do so; the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iii) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority;

or

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<sup>4</sup> Members may express themselves robustly in representing their or their constituents' views, although where a Member engages in a sustained or systematic challenge of an employee which is unfounded or in any other way unreasonable, such conduct would fall within the scope of this code.

(b) prevent another person from gaining access to information to which that person is entitled by law.

**9. Disrepute** - You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or your local authority into disrepute.

**10. Acting improperly –**

You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

- (i) act in accordance with your authority's reasonable requirements;
- (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

**11. Advice**

(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

**Part Three – Registration and Disclosure of Interest**

**Registration of Interests**

**12.** Within 28 days of this Code being adopted by the Council or within 28 days of your election or co-option (whichever is the later), you must notify the Lapley, Stretton and Wheaton Aston Parish Clerk and The South Staffordshire Council Monitoring Officer of any 'disclosable pecuniary interests' which you have at that time<sup>5</sup>.

**13.** Where you are re-elected or re-appointed, notification is only required of any new disclosable pecuniary interests within 28 days of your election or co-option.

**14.** You must keep your Register of Interests entry up to date by notifying the

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<sup>5</sup> The Monitoring Officer must enter these interests into the Register of Interests, which will be made available for public inspection and published on the Council's website.

Parish Clerk and Monitoring Officer of any changes to your disclosable pecuniary interests within 28 days of the change occurring, or of you becoming aware of the change.

15. A pecuniary interest is a "disclosable pecuniary interest" as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations, 2012.

16. You are also required to notify the Parish Clerk and Monitoring Officer of any gifts or hospitality<sup>6</sup> with an estimated value of at least £50<sup>7</sup>. You must inform the Monitoring Officer of any such gifts or hospitality within 28 days of receiving them so that the details can be entered into the Register of Members Gifts and Hospitality.

### **Sensitive interests**

17. If the nature of an interest is such that you and the Parish Clerk and Monitoring Officer consider that disclosure of the details of the interest could lead to you, or a person connected with you, being subject to violence or intimidation, the interest must not be included in any published version of the Register of Interests, or be entered into any copy of the register that is made available for public inspection<sup>8</sup>.

### **Disclosure of disclosable pecuniary interests at meetings**

18. The following provisions apply if you are present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority, and you are aware that you have a disclosable pecuniary interest in a matter to be considered, or being considered, at the meeting.

19. If the interest is not entered in the authority's Register of Interests, you must disclose the interest to the meeting (unless the interest is a sensitive interest<sup>9</sup>).

20. If the interest is not entered in the authority's Register of Interests and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest before the end of 28 days beginning with the date of the disclosure.

21. Where the interest does appear in the Register of Interests, you must bring the interest to the attention of the meeting (unless the interest is a sensitive interest).

22. You may not:

(a) participate, or participate further, in any discussion of the matter at the meeting,

(b) participate in any vote, or further vote, taken on the matter at the meeting (unless the Member has requested and been granted a relevant dispensation by the Standards Committee), or

(c) remain in the room during the discussion or vote on the matter.

23. Where you have a disclosable pecuniary interest in a matter to be considered at a meeting, you may attend the meeting but only for the purposes of making representations, answering questions or giving evidence relating to the matter, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. Once you have finished, or the meeting

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<sup>6</sup> Which you receive in your role as a South Staffordshire Councillor

<sup>7</sup> This does not include civic gifts or hospitality received by the Chairman of the Council whilst acting in this capacity. Civic gifts are to be recorded in a separate register maintained by the Chairman's Secretary.

<sup>8</sup> Instead the Register of Interests may state that the Member has an interest the detail of which are withheld under section 32(2) of the Localism Act 2011

<sup>9</sup> If the Member is required to disclose such an interest in a meeting, the Member need not disclose the interest, but merely the fact that the Member has a disclosable pecuniary interest in the matter concerned.

decides you have finished, you must leave the room and may not remain in the room during the discussion or vote on the matter.

### **Disclosure of other interests at meetings**

24. Where you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, and identify any other significant interests which you feel should be declared in the public interest, such interests may be declared to the meeting; this includes any interest which relates to or is likely to affect:

(i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;

(ii) any body-

(a) exercising functions of a public nature;

(b) directed to charitable purposes; or

(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which the member of the Council is a member or in a position of general control or management.

25. In such circumstances you must consider whether your continued participation in the matter relating to your interest would be reasonable in the circumstances, particularly if the interest may give rise to a perception of a conflict of interests in the matter under discussion.

### **Allegations of a Failure to Comply with Code of Conduct**

26. All complaints alleging a failure to comply with this Code will be considered in accordance with a procedure agreed by South Staffordshire Council.



## **LAPLEY, STRETTON AND WHEATON ASTON PARISH COUNCIL FINANCIAL REGULATIONS 2021**

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## Introduction

These Financial Regulations were adopted by the council at its meeting held on 5th September 2019

### 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 orders<sup>10</sup> 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 Parish Council Manager has been appointed as RFO for this council and these regulations will apply accordingly.

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;

<sup>10</sup> Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

- 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;
- writing off bad debts;
- 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 any grant or a single commitment in excess of £5,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15 A scheme of delegation is in place. This should be reviewed annually at the Annual meeting of the Parish Council

1.16. 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).

1.17 COVID 19 Response. Due to the on going situation with the Coronavirus Pandemic the Coronavirus Act 2020 has been implemented. An additional scheme of delegated powers has been implement in the 'Infectious disease policy'

## **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. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman [or a cheque signatory] shall be appointed to 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
- has 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. Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Forward Planning and Finance Working Group not later than the end of November each year including any proposals for revising the forecast.

3.2. The RFO must each year, by no later than January, 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 Forward planning & Finance Working Group and the Council.

3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. 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.

3.5. 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 on revenue items may be authorised 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 £5,000;
- the Parish Council Manager in conjunction with the Chairman for items below £5000; or
- the Parish Council Manager for any items below £500 providing there is sufficient budgetary provision, with the exception of regularly occurring payments such as salaries, in which case expenditure to the budgetary provision is permitted.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the PCM, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually by the end of November, for the following financial year and such review shall be evidenced by a hard copy schedule signed by the PCM and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of council services, the PCM may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1000. The PCM shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. No expenditure shall be authorised 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 and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8. 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 £1000 or [15%] of the budget.

4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

## **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. [The council shall seek credit references in respect of members or employees who act as signatories.]

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. 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.

5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council meeting.

5.5. The PCM and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

- a) Payments within approved budgets up to the sum of £5000 in-conjunction with the Parish Council Chairman and up to £500 by the Parish Council Manager
- b) as per the Scheme of Delegation as appropriate
- c) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council [or finance committee];
- b) An expenditure item 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 finance committee]; or
- c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council.

5.6. For each financial year the PCM and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council [,or a duly authorised committee,] may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council [or Finance Committee].

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. In respect of grants the Council shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

5.9. 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.

5.10. 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.

5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

## **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, the council, a duly delegated committee or, if so delegated, the PCM or RFO shall give instruction that a payment shall be made.

6.3. All payments shall be affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council and countersigned by the PCM in accordance with a resolution instructing that payment. 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.

6.5. 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.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council [or Finance Committee] at the next convenient meeting.

6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.

6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.12. 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.

6.13. 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.

6.14. 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.

6.15. Where internet banking arrangements are made with any bank, the Clerk [RFO] 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.

6.16. 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.

6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the PCM and a member. A programme of regular checks of standing data with suppliers will be followed.

6.18. Any Debit Card issued for use will be specifically restricted to the PCM and Assistant Clerk and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.

6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.

6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the PCM and Assistant Clerk and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

6.21. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the PCM (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

## **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 council

7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

- a) by any councillor who can demonstrate a need to know;
- b) by the internal auditor;
- c) by the external auditor; or
- d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5. 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.

7.6. An effective system of personal performance management should be maintained for the senior officers.

7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

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

## **8. Loans and investments**

8.1. All borrowings shall be affected 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/Welsh Assembly Government (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. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.

8.4. 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.

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

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

8.8. 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. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.

9.3. The council will review all fees and charges at least annually, following a report of the PCM.

9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

9.5. 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.

9.6. The origin of each receipt shall be entered on the paying-in slip.

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

9.8. 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.

9.9. 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.

9.10. 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 or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2. Order books shall be controlled by the RFO.

10.3. 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.

10.4. A member may not issue an official order or make any contract on behalf of the council.

10.5. 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.

10.6. As a response to climate change LSWA PC has committed to follow a Climate and Biodiversity Policy and therefore will consider the location of all contractors before placing any orders with the view of reducing mileage and emissions

## **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 (vi) below:

- i. for the supply of gas, electricity, water, sewerage and telephone services;
- ii. for specialist services such as are provided by legal professionals acting in disputes;
- 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 additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the PCM and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
- vi. 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<sup>11</sup>.

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)<sup>12</sup>.

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 PCM 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 PCM 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 PCM 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 'Financial Controls and Procurements' 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 PCM or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000 and above

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<sup>11</sup> The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

<sup>12</sup> Thresholds currently applicable are:

- a) For public supply and public service contracts 209,000 Euros (£181,302)
- b) For public works contracts 5,225,000 Euros (£4,551,413)

£1000 the PCM or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 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. Payments under contracts for building or other construction works**

12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.

12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and PCM to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

## **13. Stores and equipment**

13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

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

14.1. The PCM 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.

14.2. 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 £1000.

14.3. 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).

14.4. 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).

14.5. 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.

14.6. 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.

## **15. Insurance**

15.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers

15.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.3. 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.

15.4. 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 [annually] by the council, or duly delegated committee.

#### **16. Charities**

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

#### **17. Risk management**

17.1. The council is responsible for putting in place arrangements for the management of risk. The PCM shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.

17.2. When considering any new activity, the PCM shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

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

18.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The PCM 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.

18.2. 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.

The Model Financial Regulations templates were produced by the National Association of Local Councils (NALC) in July 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.





**Standing Orders**  
**Adopted 2<sup>nd</sup> October 2014**  
**Revised 14<sup>th</sup> May 2015**  
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## **Standing Orders**

### **Rules of debate at meetings**

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

- v. in exercise of a right of reply.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved understanding order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

**Disorderly conduct at meetings**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or 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) above 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.
- d Meetings generally

<p>?</p> <p>?</p> <p>????</p>	<p>Full Council meetings</p> <p>Committee meetings</p> <p>Sub-committee meetings</p>
<p>?</p>	<p>a <b>Meetings shall not take place in premises which at the time of the meeting are used</b></p>

<p>2 2 222</p>	<p>Full Council meetings Committee meetings Sub-committee meetings</p>
	<p><b>for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.</b></p>
<p>2</p>	<p>b <b>The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.</b></p>
<p>2</p>	<p>c <b>The minimum three clear days’ public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice</b></p>
<p>22</p>	<p>d <b>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.</b></p>
	<p>e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.</p>
	<p>f The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed <b>30</b> minutes unless directed by the chairman of the meeting.</p>
	<p>g Subject to standing order 3(f) above, a member of the public shall not speak for more than <b>5</b> minutes.</p>
	<p>h In accordance with standing order 3(e) above, 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.</p>
	<p>i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.</p>
	<p>j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.</p>
	<p>k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking. l COVID 19 Response. Due to the on going situation with the Coronavirus Pandemic the Coronavirus Act 2020 has been implemented. Under section 78 of this act the Parish Council is able to hold remote meetings to continue parish council business. Details of this meeting are to be advertised on the parish website. See the ‘Virtual Meeting policy’ for further details.</p>
<p>22</p>	<p>l Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.</p>
<p>22</p>	<p>m -A person present at a meeting may not provide an oral report or oral commentary about</p>

<p>2</p> <p>2</p> <p>222</p>	<p>Full Council meetings</p> <p>Committee meetings</p> <p>Sub-committee meetings</p>
	<p>a meeting as it takes place without permission.</p>
<p>2</p>	<p>n The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.</p>
<p>2</p>	<p>o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).</p>
<p>222</p>	<p>p The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.</p>
<p>222</p>	<p>Q Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.</p>
	<p>r The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.</p> <p><i>See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council</i></p>
	<p>s Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.</p>
<p>222</p>	<p>a The minutes of a meeting shall include an accurate record of the following:</p> <ul style="list-style-type: none"> <li>i. the time and place of the meeting;</li> <li>ii. the names of councillors who are present and the names of councillors who are absent;</li> <li>iii. interests that have been declared by councillors and non-councillors with voting rights;</li> <li>iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;</li> <li>v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;</li> <li>vi. if there was a public participation session; and</li> </ul> <p>the resolutions made.</p>
<p>2</p>	<p><i>See standing order 4d(viii) below for the quorum of a committee or sub-committee meeting.</i></p> <p>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.</p>
<p>222</p>	<p>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.</p>
	<p>m <b>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.</b></p>

<p>2</p> <p>2</p> <p>222</p>	<p>Full Council meetings</p> <p>Committee meetings</p> <p>Sub-committee meetings</p>
	<p>n A meeting shall not exceed a period of <b>2 ½</b> hours.</p>

## **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 full 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) above, appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer **3** days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. may dissolve a committee.

## **Working Groups**

- a The members of a working group may include non-councillors.
  - b Unless the council determines otherwise, all the members of a working group may be non-councillors.
- C. The council may appoint working groups as may be necessary, and:
- xiii. shall determine their terms of reference; (if required)
  - xiv. shall determine the number and time of the ordinary meetings of a working group up until the

- date of the next annual meeting of full council (if required);
- xv. shall permit a working group, other than in respect of the ordinary meetings of a working group, to determine the number and time of its meetings;
  - xvi. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a working group;
  - xvii. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a working group whose role is to replace the ordinary members at a meeting of a working group if the ordinary members of the working group confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
  - xviii. shall permit a working group to appoint its own chairman at the first meeting of the working group, if not already appointed by full Council.
  - xix. shall determine the place, notice requirements and quorum for a meeting of a working group which shall be no less than three;
  - xx. shall determine if the public may participate at a meeting of a working group;
  - xxi. shall determine if the public and press are permitted to attend the meetings of a working group and also the advance public notice requirements, if any, required for the meetings of a working group;
  - xxii. shall determine if the public may participate at a meeting of a working group that they are permitted to attend; and
  - xxiii. may dissolve a working group.
  - xxiv. May orally report to full Council on matters discussed at a working group meeting

#### **Ordinary council meetings**

- a In an election year, the Annual Meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b In a year which is not an election year, the Annual Meeting of a council shall be held on such day in May as the council may direct.**
- c If no other time is fixed, the Annual Meeting of the council shall take place at 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 directs.**
- e The first business conducted at the Annual Meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual meeting until his successor is elected at the next annual meeting of the council.**
- g The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the council.**
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the**



**council, he shall preside at the meeting until a successor Chairman of the Council has been elected.**

**The current Chairman of the Council**

**shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**

- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
  
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the Annual Meeting of the council, the business of the annual meeting shall include:**
  - i. In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
  - iii. Receipt of the minutes of the last meeting of a committee. If necessary;
  - iv. Consideration of the recommendations made by a committee or working group;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees or working groups as required;
  - vii. Appointment of members to existing committees or working groups as required;
  - viii. Appointment of any new committees or working groups in accordance with standing order 4 above;
  - ix. Review and adoption of appropriate standing orders and financial regulations;
  - x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
  - xi. Review of representation on or work with external bodies and arrangements for reporting back;
  - xii. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
  - xiii. Review of inventory of land and assets including buildings and office equipment;
  - xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
  - xv. Review of the council's and/or staff subscriptions to other bodies;
  - xvi. Review of the council's complaints procedure;
  - xvii. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
  - xviii. Review of the council's policy for dealing with the press/media; and
  - xix. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

#### **Extraordinary meetings of the council and committees and sub-committees**

- a The Chairman of the Council may convene an extraordinary meeting of the council at any time.**
  
- b If the Chairman of the Council does not or refuses to 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 must be signed by the two councillors.**

- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within **7** days of having been requested by to do so by **2** members of the committee [or the sub-committee], any **2** members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and 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 **6** councillors to be given to the Proper Officer in accordance with standing order 9 below, 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) above has been disposed of, no similar motion may be moved within 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 which it is tabled for 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 **10** 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) above, 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) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least **10** 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 Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

### **Motions at a meeting that do not require written notice**

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
  - i. to correct an inaccuracy in the draft minutes of a meeting;
  - ii. to move to a vote;
  - iii. to defer consideration of a motion;
  - iv. to refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;
  - vi. to change the order of business on the agenda;
  - vii. to proceed to the next business on the agenda;
  - viii. to require a written report;
  - ix. to appoint a committee or sub-committee and their members;
  - x. to extend the time limits for speaking;
  - xi. to exclude the press and public from a meeting in respect of confidential or sensitive 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 requirements);
  - xvi. to adjourn the meeting; or
  - xvii. to close a meeting.

### **Management of Information**

*See also standing order 20.*

- a The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- b The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or

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

### **Draft minutes**

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- 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 Lapley, Stretton & Wheaton Aston Parish Council 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 Upon 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.
- ● ●
- f **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- g Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

### **Code of Conduct and Dispensations**

*See also standing order 3(u).*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a

meeting of the Council, or committee or sub-committee for which the dispensation is required] and that decision is final.

- f A dispensation request shall confirm:
- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered [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] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].
- h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
  - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
  - iii. it is otherwise appropriate to grant a dispensation.**

#### **Code of conduct complaints**

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

#### **Proper Officer**

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**

- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

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

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;  
*(see also standing order 23);*
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman (if there is one) of the Council] OR [Chairman or in his absence Vice-Chairman (if there is one) of the ( ) Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council] OR [( ) committee];
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.  
*(see also standing order 23).*
- xviii. To conduct Council Business as deemed appropriate, liaise with Chairman and Vice-Chairman as required
- xix. Scheme of delegated powers to confirm.

### **Responsible Financial Officer**

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

### **Accounts and Accounting Statements**

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

- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
- i. the council's receipts and payments for each quarter;
  - ii. the council's aggregate receipts and payments for the year to date;
  - iii. the balances held at the end of the quarter being reported
- and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
  - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual 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 applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

#### **Financial controls and procurement**

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.
- d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.
- g A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

### Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of council OR the **Forward Planning & Finance Working Group** is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman or, if he is not available, the vice-chairman of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting **or at the Forward Planning & Finance Working Group at its next meeting whichever is earlier.**
- c The chairman of the Forward Planning & Finance Working Group or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Parish Council Manager. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Full Council.



- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee shall contact the chairman of the Disciplinary and Grievance Panel or in his absence, the vice-chairman of the Disciplinary and Grievance Panel in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Disciplinary and Grievance committee.
- e **All grievance matters, if an informal or formal shall be handled according to the council's Disciplinary and Grievance Procedure.**
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to (post holder) and/or the Chairman of the Council.

#### **Requests for information**

##### **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.**
- i. **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

##### **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

*See also standing order 11.*

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

#### **Relations with the press/media**

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

### **Execution and sealing of legal deeds**

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

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **Subject to standing order 22(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

### **Communicating with District and County or Unitary councillors**

- a An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillors 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 shall be sent to the ward councillors representing the area of the council.

### **Restrictions on councillor activities**

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

### **Standing orders generally**

- a All or part of a standing order, except one that incorporates mandatory statutory 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 requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

### **Scheme of Delegation**

#### **Lapley, Stretton and Wheaton Aston Parish Council**

**This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person) to act with delegated authority in the specific circumstances detailed.**

#### **1. Responsible Financial Officer Duties & Powers**

The Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.

## **2. Proper Officer Duties & Powers**

2.1 The Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- 2.1.1 Receive declarations of acceptance of office;
- 2.1.2 Receive and record notices disclosing interests at meetings;
- 2.1.3 Receive and retain plans and documents;
- 2.1.4 Sign notices, agreements, licences or other documents on behalf of the Council;
- 2.1.5 Receive copies of By-laws made by another local authority;
- 2.1.6 Certify copies of By-laws made by the Council;
- 2.1.7 Sign and issue summonses to attend meetings of the Council.
- 2.1.8 Keep proper records for all Council Meeting
- 2.1.9 Notify the Returning Officer of any casual vacancies and liaise with him/her regarding the conduct of elections

2.2 In addition, the Clerk has the delegated authority to undertake the following matters on behalf of the Council:

- 2.2.1 The day to day administration of services, together with routine inspection and control.
- 2.2.2 Authorisation of routine expenditure within the agreed budgets. Agreed budgeted expenditure up to £500 Parish Clerk only, up to £5000 in conjunction with the Chairman
- 2.2.3 Arrange and administrate the Christmas Lights Event including incurring costs within the budget and report back to full Council
- 2.2.4 Emergency or necessary expenditure up to £500 outside of the agreed budget (see 7 - Urgent matters below).
- 2.2.5 Dealing with all press and public relations on behalf of the Council in consultation with the Chairman or Vice-Chairman.
- 2.2.6 Liaise with appropriate bodies on clear uncontentious matters of concern raised by members of the public or Councillors without first putting it on a Council agenda.
- 2.2.7 Produce the quarterly newsletter and Annual Report in consultation with the Chairman.
- 2.2.8 Make decisions as to whether items are appropriate for inclusion in the website and/or social media channels.
- 2.2.9 Respond to planning applications following a comment submitted by the Chairman in consultation with members
- 2.2.10 To view and control CCTV
- 2.2.11 Approve employee holidays and working hours after consultation with the Chairman
- 2.2.12 Prepare and research items/topics and present to Council to improve Council services and functions
- 2.2.13 Delegate to the Assistant Clerk and, where appropriate i.e information requirements
- 2.2.14 The Clerk is to receive employee timesheets and submit the Clerk timesheet periodically to the Chairman.
- 2.2.15 The Council supports agile working (in particular for employees with a medical need) The Clerk is permitted to work from home and in the office flexibly accounting for hours on a timesheet

2.3. Delegated actions of the Clerk shall be in accordance with Standing Orders, Financial Regulations and this Scheme of Delegation and with directions given by the Council from time to time.

## **3 Urgent Matters**

- 3.1 In the event of any matter arising **which requires an urgent decision** notwithstanding delegated powers granted by paragraph 2.2 above, the Clerk shall forthwith consult with the Chairman and/or Vice-Chairman and those Members so consulted together with the Clerk shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- 3.2 Before exercising the delegated powers granted by paragraph 3.1 above, those Members consulted shall consider whether the matter is of sufficient interest to justify recommending to the Chairman that an Extraordinary Meeting of the Council should be called.
- 3.3 Whenever any action is taken under this Standing Order, full details of the circumstances justifying the urgency and of the action taken shall be submitted in writing to the next available meeting of the Council. Approved at a meeting of Lapley, Stretton and Wheaton Aston Parish Council on
- 3.4 In light of the Coronavirus Pandemic of 2020 and Infectious Disease Policy has been implemented which further delegates powers. These additional powers exist only during the activation of the Highly Infectious Disease policy

## **HIGH CONSEQUENCE INFECTIOUS DISEASE POLICY**

### **Introduction**

Lapley, Stretton and Wheaton Aston Parish Council (LSWA PC) actively seeks to protect the Councillors, Volunteers and Staff working for and on behalf of the council and its activities. As such, and following any current Public Health England (PHE) and government guidelines, the following policy applies to any High Consequence Infectious Disease (HCID) as defined by PHE

This policy sets out the general principles and approach that the Parish Council will follow in respect of and HCID outbreak in the United Kingdom with an imminent threat of infection in the Parish of Lapley, Stretton and Wheaton Aston.

### **1. Scope of the policy**

1.1. The main areas of concern for LSWA parish council with respect to HCIDs are:

- Remaining an effective council
- Safety & Health of Councillors, Contractors, Staff, Volunteers and Members of Public.

### **2. Activation of the policy**

2.1. This policy is considered to be activated, when

- There is an active outbreak of a HCID in the United Kingdom with an imminent threat of infection in the Parish of Lapley, Stretton and Wheaton Aston **and**
- The Chairman plus 2 councillors have requested its activation to the Clerk, or its activation is resolved in a meeting of LSWA Parish Council.

OR

- The government of the United Kingdom declares an epidemic or suspends all public meetings

OR

- The World Health Organisation (WHO) declares a Pandemic

### **3. Deactivation of the policy**

3.1. This policy is considered to be deactivated, when

- When the imminent threat of infection in the Parish of Lapley, Stretton and Wheaton Aston has passed **and**
- A minimum of 4 councillors have requested public meetings be recommenced as per the original timetable
- The government of the United Kingdom has reinstated all public meetings.

### **4. Definition of High Consequence Infectious Disease**

4.1. A HCID is defined as

- acute infectious disease
- typically has a high case-fatality rate
- may not have effective prophylaxis or treatment
- often difficult to recognise and detect rapidly
- ability to spread in the community and within healthcare settings
- requires an enhanced individual, population and system response to ensure it is managed effectively, efficiently and safely

4.2. The current list of HCIDs as defined on [www.gov.uk](http://www.gov.uk) (11/03/2020)

#### **Contact HCID**

Argentine haemorrhagic fever (Junin virus)  
 Bolivian haemorrhagic fever (Machupo virus)  
 Crimean Congo haemorrhagic fever (CCHF)  
 Ebola virus disease (EVD)  
 Lassa fever  
 Lujo virus disease  
 Marburg virus disease (MVD)  
 Severe fever with thrombocytopenia syndrome (SFTS)

#### **Airborne HCID**

Andes virus infection (hantavirus)  
 Avian influenza A H7N9 and H5N1  
 Avian influenza A H5N6 and H7N7  
 Middle East respiratory syndrome (MERS)  
 Monkeypox  
 Nipah virus infection  
 Pneumonic plague (*Yersinia pestis*)  
 Severe acute respiratory syndrome (SARS)\*  
 Coronavirus disease (COVID-19)

At any such time as a new disease is classified as a HCID, it shall be treated as if it were in the list above and this policy shall apply.

### **5. Matters relating to staff – The Clerk**

- 5.1. LSWA Parish Council has an official office, and a small number of employees. A further policy for business continuity will be published in relation to each specific threat. The public may only visit the Clerk by appointment. During any active outbreak of a HCID in the UK, no appointments will be permitted. The clerk will not come into contact with the public during working hours, at their 1<sup>st</sup> normal place of work.
- 5.2. The village hall, or any other public location used for Parish Council meetings is the 2<sup>nd</sup> normal place of work for the Clerk. This is dealt with in Section 6.
- 5.3. In the event of a HCID outbreak the National Joint Council for local government services (NJC) will issue guidance for employers which the council will follow. A summary of the most recent guidance during the COVID-19 outbreak of 2020 is detailed below
  - 5.3.1. Employees who are sick or unfit for work need to focus on their recovery.
  - 5.3.2. As per Part 2 Para 10.9 of the 'Green Book', if an employee is fit for work but decides, or is instructed, to self-isolate, their absence should not be recorded as sickness absence. We would expect all options for home or remote working to be explored with the employee. As they are 'well' at this stage they should stay on normal full pay for the duration of the self-isolation period until such time as they are confirmed to have contracted any such HCID, at which point they transfer to sickness absence leave and the usual provisions of the sickness scheme will apply.
  - 5.3.3. In circumstances where an employee decides to self-isolate without instruction from the authorities it is not unreasonable for the employer to ask for some evidence such as an email from a holiday operator that shows the dates of the holiday, the resort location and flight details. However, it will probably not be possible in all cases for an employee to produce any evidence, so employers will need to use their discretion when trying to establish the facts behind the employee's decision to self-isolate.
  - 5.3.4. If an employee is caring for someone who has or may have coronavirus, this period of absence should also be regarded as self-isolation. Given the employee may then have been in direct contact with the virus we would expect only working from home arrangements to be then considered for the duration of the incubation period. Employers should keep in touch to support employees.

- 5.3.5. Following any school closures, employers should be fully supportive of employees with childcare responsibilities and consider flexible working arrangements, including adapting working patterns to care for children or dependants or taking time off, whether this is special leave, annual leave or flexible working.

## **6. Public Meetings**

- 6.1. It is a requirement of the Local Government Act 1972, that council business shall be conducted at public meetings of the council and any committees.
- 6.2. Councillors and other Volunteers can choose to not attend public meetings. As an officer of the council, the Clerk cannot choose to not attend meetings.
- 6.3. Due to the nature of local government and considering the Councillors and Members of Public whom attend meetings, there is high percentage of attendees whom would be considered "high risk" with respect to all of the HCIDs listed in Section 4.2. As such, to protect the health of all attendees, public meetings are limited or suspended during the active period of this policy.

## **7. Delegated Authority**

- 7.1. To allow the council to operate on a minimum requirement basis, the following items are delegated to the Clerk for the duration of the activation of this policy (a scheme of delegation can be found as appendix 1)
- 7.1.1. Planning applications, after consultation with the planning working group, a summary response will be circulated to all councillors for comment prior to submission to South Staffordshire District Council by the Clerk.
- 7.1.2. Finance
- 7.1.2.1. all standard recurring payments listed as line items on the budget will be paid by the RFO at the appropriate time to prevent any late charges, such as salaries, printing costs, licences and IT services etc.
- 7.1.2.2. All payments will be formally authorised by the full council at the next full council meeting.
- 7.1.2.3. Where this policy is activated over the end of the financial year, the RFO will prepare the end of year accounts in accordance with normal procedures and circulate to all of the councillors. On the acceptance of a minimum of 4 councillors, they will be signed by the RFO, Clerk and Chairman as applicable for submission to the external and internal auditors. The accounts will be accepted by resolution at the next full council meeting.
- 7.1.3. Responses to other communications. The Clerk will circulate at the earliest opportunity, any communication from any 3<sup>rd</sup> Parties which would normally be presented at a meeting for consideration by the council. The clerk will circulate the summary response to the full council prior to responding to the 3<sup>rd</sup> Party.
- 7.1.4. In accordance with LGA 1972, where this policy is activated during a meeting of the council the meeting will be adjourned. Using the delegated authority as detailed in 7.1.1 to 7.1.3, the Clerk will endeavour to close out as much of the remaining agenda, the results of which will be reported to the council after the adjournment when the rest of the agenda is considered.
- 7.1.5. It is both the role of and the prerogative of the Clerk for council business to continue (likely at a reduced level) in times of great stress and no meetings. Therefore, trust will need to be placed in the Clerk to make sound decision and judgments in the best interest and continuation of the Council. Any decision will be reported and, where possible, ratified by the Chairman and Vice Chairman, as minimum, but with preferable input from at least two other members. The period that this policy will be implemented for will be particularly challenging so it is accepted that Councillors may not respond due to other commitments and worries therefore due diligence will be taken. Once the period is closed and the policy ceased the standard (attached) Scheme of Delegation will preside.

## **8. Review of the policy**

- 8.1. This policy was implemented on 17th March 2020 (by email) and will be formally approved by the Parish Council at the next meeting. To be reviewed annually.

**Reviewed 2017**  
**Reviewed May 2018**  
**Reviewed September 2019**  
**Reviewed May 2020**  
**Reviewed May 2021**

1. Lapley, Stretton & Wheaton Aston Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of service you have received from this council, or are unhappy about an action or lack of action by this Council, this Complaints Procedure sets out how you may complain to the Council and how we shall try to resolve your complaint.
2. This Complaints Procedure applies to complaints about Council administration and procedures and may include complaints about how Council employees have dealt with your concerns.
3. This Complaints Procedure does not apply to:
  - 3.1. complaints by one Council employee against another Council employee, or between a Council employee and the Council as employer. These matters are dealt with under the Council's disciplinary and grievance procedures.
  - 3.2. complaints against Councillors. Complaints against Councillors are covered by the Code of Conduct for Members adopted by the Council on **28<sup>th</sup> May 2020** and, if a
  - 3.3. complaint against a Councillor is received by the Council, it will be referred to the Monitoring Officer of South Staffordshire Council. Further information on the process of dealing with complaints against Councillors may be obtained from the Monitoring Officer of South Staffordshire Council.
4. The appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. There may also be the opportunity to raise your concerns in the public participation section of Council meetings. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in the Standing Orders is followed
5. You may make your complaint about the Council's procedures or administration to the Parish Council Manager. You may do this in person, by phone, or by writing to or emailing the Parish Council Manager. The addresses and numbers are set out below:

Parish Council Manager, Lapley, Stretton & Wheaton Aston Parish Council  
The Business Hub, Wolverhampton Road, Codsall, Staffordshire, WV8 1PE  
01902 842556 – [office@wheatonastonparishcouncil.gov.uk](mailto:office@wheatonastonparishcouncil.gov.uk)
6. The Parish Council Manager will normally try to acknowledge your complaint within five working days. Please note that the Parish Council Manager is a part time employee.
7. If you do not wish to report your complaint to the Parish Council Manager, you may make your complaint directly to the Chairman of the Council who will report your complaint to the Council.
8. The Parish Council Manager or the Council (as appropriate) will investigate each complaint, obtaining further information as necessary from you and/or from staff or members of the Council.
9. The Parish Council Manager or the Chairman of the Council will notify you within 20 working days of the outcome of your complaint and of what action (if any) the Council proposes to take as a result of your complaint. (In exceptional cases the twenty working days timescale may have to be extended. If it is, you will be kept informed.)

10. If you are dissatisfied with the response to your complaint, you may ask for your complaint to be referred to the Complaints Committee of the Parish Council or to the full Council (as appropriate) and (usually within eight weeks) you will be notified in writing of the outcome of the review of your original complaint.

## Contacts

1. The Parish Council Manager of Lapley, Stretton & Wheaton Aston Parish Council:

Address: Lapley, Stretton & Wheaton Aston Parish Council  
The Business Hub, Wolverhampton Road  
Codsall, Staffordshire, WV8 1PE

Telephone: 01902 842556 07495789051

Email: [office@wheatonastonparishcouncil.gov.uk](mailto:office@wheatonastonparishcouncil.gov.uk)

2. The Chairman of Lapley, Stretton & Wheaton Aston Parish Council:

Email: [t.noblett@wheatonastonparishcouncil.gov.uk](mailto:t.noblett@wheatonastonparishcouncil.gov.uk)

3. The Monitoring Officer for Lapley, Stretton & Wheaton Aston Parish Council:

Address: South Staffordshire Council, Wolverhampton Road  
Codsall, Staffordshire, WV8 1PE

Telephone: 01902 696000

Email: [l.fowkes@sstaffs.gov.uk](mailto:l.fowkes@sstaffs.gov.uk)

## Media Policy

Adopted October 2017

Reviewed May 2018, May 2019, 28<sup>th</sup> May 2020. 6<sup>th</sup> May 2021

### 1.0 Introduction

- 1.1 The purpose of this policy is to define the roles and responsibilities within the Council for contact with the media.
- 1.2 Lapley, Stretton and Wheaton Aston Parish Council ("the Council") is committed to the provision of accurate information about its governance, decisions and activities. Where this information is not available via the Council's publication scheme, please contact the Council's Clerk or, in his/her absence, the deputy Clerk
- 1.3 The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet ("the media").
- 1.4 This policy explains how the Council may work with the media to meet the above objectives in accordance with the legal requirements and restrictions that apply. Legal requirements and restrictions
- 1.5 This policy is subject to the Council's obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972, the Local Government Act 1986, the Freedom of Information Act 2000, the Data Protection Act 1998, other legislation which may apply and the Council's standing orders and financial regulations. The Council's financial regulations and relevant standing orders referenced in this policy are available via the Council's publication scheme.
- 1.6 The Council cannot disclose confidential information or information the disclosure of which is prohibited by law. The Council cannot disclose information if this is prohibited under the terms of a court order, by legislation, the Council's standing orders, under contract or by common law. Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the code of conduct adopted by the Council, a copy of which is available via the Council's publication scheme.



## 2.0 **Contact with the Media**

- 2.1 Approaches from the media should be referred to the Chairman who is the authorised contact with the media in consultation with the Parish Council Clerk. The Parish Council Clerk, is, however, given permission to speak to the media in the Chairman's absence.
- 2.2 Statements made by the Chairman to the media should reflect the Council's opinion.
- 2.3 Other Councillors can talk to the media but must ensure that it is clear that the opinions given are their own and not necessarily those of the Council.
- 2.4 Caution should be exercised when submitting letters to the editor for publication in newspapers. There are occasions when it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual errors in letters submitted by other correspondents. However, such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks. Letters representing the views of the Council should only be submitted by the Chairman or the Parish Council Clerk. If other Members choose to use the letters column to express their own opinions on Council policies, they should make clear that the views put forward are those of the individual Member. Care should be taken not to disclose any information of a confidential nature, if a Member is unclear whether information is confidential they should consult the Parish Council Clerk.
- 2.5 At all times consideration should be given as to how the correspondence may affect the reputation of the Council. The Parish Council's Code of Conduct is relevant here – section 5. states that "You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute." Chairman: \_

**LAPLEY, STRETTON AND WHEATON ASTON  
PARISH COUNCIL**

**INTERNAL CONTROLS REVIEW  
SEPTEMBER 2017  
MAY 2019  
MAY 2020  
MAY 2021**

### 1. **Scope of Governance Framework Responsibility**

Lapley, Stretton and Wheaton Aston Parish Council (LSWAPC) is required to have an adequate and effective system to discharge the functions of the Council whilst implementing arrangements for the management of risk. In order to achieve this there is a need for LSWAPC to implement a comprehensive internal control policy to ensure that its business is conducted within the law and proper standards and that public money is safeguarded and properly accounted for and used economically, efficiently and effectively.

### 2. **The Purpose of Governance Framework**

LSWAPC Governance Framework provides a comprehensive range of internal controls in the form of a checklist that will confirm the existence of a sound system of management which includes the identification and control of risk whilst seeking to eliminate fraud, error and misstatement. It will provide a satisfactory foundation for internal audit and give an adequate level of assurance that LSWAPC is enabled to complete the annual governance statement, particularly assertions two and six.

### 3. **Personnel Involved with Governance Framework**

The key personnel that will review and implement the LSWAPC Governance Framework include:

- Clerk to the Council / Responsible Financial Officer: The duties of the Clerk / RFO will be laid down in a Job Description which should be reviewed each year. The Clerk will be LSWAPC's Responsible Financial Officer and will act as advisor and administrator to LSWAPC and will be responsible for the day to day management of LSWAPC's finances.
- Assistant Clerk: The Assistant Clerk will provide support to the Clerk / RFO in respect to all matters of LSWAPC administration and finance.
- Chairman of the Council: The Chairman of LSWAPC will be elected by the elected Members of LSWAPC and will have all the powers and duties vested by law.
- Finance and Forward Planning Working Group led by the Finance and Forward Planning Working Group Chairman. The Finance and Forward Planning Working Group will consider matters regarding finance and forward planning, including Annual Accounts and Governance and will recommend or otherwise that such matters be accepted by full Council.
- Appointed Independent and Competent Internal Auditor: The appointed Internal Auditor will, at not less than yearly intervals, provide a selective assessment of LSWAPC's procedures and controls to ensure compliance against the current legal framework as imposed on LSWAPC.

#### 4. **Review of Effectiveness of Governance Framework**

The key elements of control to be tested are as follows:

- Has LSWAPC appointed a Responsible Financial Officer (RFO)?
- Has LSWAPC appointed a Chairman who may exercise all the statutory powers and duties in respect to meetings, ensuring smooth running of meetings and the certification of minutes on behalf of LSWAPC Members?
- Has LSWAPC established committees and/or working groups to simplify the management of key elements of its lawful business?
- If so has the committee and/or working group appointed a Chairman to ensure smooth running of meetings and to verbally report on matters from the working group meeting to full Council?
- Has LSWAPC formally adopted both Standing Orders & Financial Regulations?
- Are the Standing Orders & Financial Regulations closely adhered to in order to provide a consistent approach to meetings and decision making?
  - Are items or services purchased against pre-determined limits competitively purchased?
- Has LSWAPC conducted risk assessment for the current year of operation to determine the financial risks it is exposed to and if so is this recorded in the Minutes?
  - Has the LSWAPC risk assessment been scrutinised to ensure that it is comprehensive and up to date and identifies any actions that it considers necessary to minimise those risks?
  - Where necessary to does LSWAPC have adequate and appropriate insurance cover to offset risk?
  - Does LSWAPC maintain an up-to-date Assets Register of material assets owned and is the Register viewed in conjunction with the Insurance Schedule Valuations?
  - Do the LSWAPC minutes identify any unusual financial activity?
  - Does LSWAPC regularly review and document its financial controls?
  - Do LSWAPC procedures allow for back up of records to enable reconstruction of data for business continuity and detection of fraud or error?
- Does LSWAPC have in place sufficient accounting controls to include as a minimum the following elements:
  - Recorded Minutes that show that previous year Internal & External audits have been reviewed and matters arising addressed?
  - Is a cashbook maintained and up to date to ensure that all financial transactions are recorded promptly and correctly?
  - Is the cashbook accurate and arithmetically correct?
  - Is the cashbook regularly balanced in line with bank statements?
  - Are all LSWAPC bank accounts subject to regular reconciliation?
  - Are cashbook payments supported by invoices and have they been authorised and minuted?

- Does LSWAPC properly record income and bank funds promptly?
- Does LSWAPC have adequate and effective security controls in respect to cash?
- Does LSWAPC have a recording system for Petty Cash which is supported by VAT invoices and receipts where appropriate?
- Do LSWAPC regularly check and sign-off Petty Cash expenditure and balances?
- Does LSWAPC check payroll expenditure records?
- Does LSWAPC have confidence that its PAYE & NIC systems are correctly operated?
- Does LSWAPC identify VAT payments and correctly record and reclaim these?
- Does LSWAPC separately identify and record Section 137 payments and are these within the defined statutory limits?
- Does LSWAPC set its Precept based upon a pre-prepared Annual Budget?
- Does the Annual Budget setting review its income and expenditure in consideration of Actual Figures for the previous year, End of Current Year Forecasting and Actual Outturn for the Year?
- Do the LSWAPC Finance and Forward Planning Working Group and full Council regularly review income and expenditure against the budgeted figures?
- Do the LSWAPC Finance and Forward Planning Working Group and full Council seek timely understanding and explanation of any significant variances to the budget?
- Are all LSWAPC financial controls documented, regularly reviewed and signed off by full Council?
- Does LSWAPC prepare its end of year accounts on the correct basis using 'Income and Expenditure'?
  - Does LSWAPC correctly record debtors and creditors where appropriate?
  - Does LSWAPC start of year and end of year balances on all accounts mirror the cashbook figures?
  - Does LSWAPC maintain an adequate audit trail between the accounts and underlying financial records?
- Does LSWAPC have a procedure for the recovery of delinquent debt and the writing off of non-recoverable sums?

## 5. Significant Issues Identified via Governance Framework

Lapley, Stretton and Wheaton Aston Parish Council has not identified any significant issues arising from Governance Framework reviews in respect to the previous twelve months and the forthcoming year. In addition both Internal Audit and External Audit have similarly identified no arising issues.



**Information available from Lapley, Stretton & Wheaton Aston Parish Council  
under the model publication scheme**

**Adopted 3<sup>rd</sup> March 2011**

**(Reviewed 2<sup>nd</sup> February 2012, 14<sup>th</sup> February 2013 & 29<sup>th</sup> January 2015, 2<sup>nd</sup> Feb 2017, 16<sup>th</sup> May 2019, 28<sup>th</sup> May 2020, 6<sup>th</sup> May 2021)**

<b>Information to be published</b>	<b>How the information can be obtained</b>
<b>Class1 - Who we are and what we do</b> Who's who on the Council and its Committees Contact details for Parish Council Manager and Council members Location of main Council office and accessibility details	News & Views Newsletter Parish Council Notice Boards (Wheaton Aston Village Hall, Stretton Lay-by, Lapley Green) subject to Covid 19 pandemic Hard copy or email copy on request if available Website

<b>Information to be published</b>	<b>How the information can be obtained</b>
<b>Class 2 – What we spend and how we spend it</b> Current and previous financial year Annual return form and report by auditor Finalised budget Precept Financial Standing Orders and Regulations Grants given and received List of current contracts awarded and value of contract	Hard copy or email copy on request if available
<b>Class 3 – What our priorities are and how we are doing</b> Annual Report to Parish (current and previous year)	News & Views Newsletter Hard copy or email copy on request if available
<b>Class 4 – How we make decisions</b> Current and previous council year	
Timetable of meetings	News & Views Newsletter Parish Council Notice Boards (Wheaton Aston Village Hall, Stretton Lay-by, Lapley Green) subject to Covid 19 pandemic Hard copy or email copy on request if available
Agendas of meetings Minutes of meetings – NB this will exclude information that is properly regarded as private to the meeting.	Parish Council Notice Boards (Wheaton Aston Village Hall, Stretton Lay-by, Lapley Green) Hard copies at Parish Council Meetings Hard copy or email copy on request if available Website
Reports presented to council meetings - NB this will exclude information that is properly regarded as private to the meeting. Responses to planning applications	Hard copy or email copy on request if available <a href="http://www.sstaffs.gov.uk/planningfiles">www.sstaffs.gov.uk/planningfiles</a>
<b>Class 5 – Our policies and procedures</b> Current information only Policies and procedures for the conduct of council business: Procedural standing orders Financial Regulations Code of Conduct Policies Complaints procedures (including those covering requests for information and operating the publication scheme)	Hard copy or email copy on request if available
<b>Class 6 – Lists and Registers</b> Currently maintained lists and registers only	
Any publicly available register or list	Hard copy or email copy on request if available
Register of members' interests	Inspection by appointment and on <a href="http://www.sstaffs.gov.uk">www.sstaffs.gov.uk</a>
Register of gifts and hospitality	Inspection by appointment only
<b>Class 7 – The services we offer</b> Current information only	
Burial grounds and closed churchyards Village halls Playing fields and Play areas Seating, litter bins, war memorials and lighting Bus shelters	Queries answered on request. Hard copy or email copy on request if available

Information to be published	How the information can be obtained
Agency agreements	

**Contact details:**

Mrs. A Watson (Parish Clerk)  
 F7 Staffordshire Business Hub  
 South Staffordshire District Council offices  
 Wolverhampton Road  
 Codsall  
 WV8 1PE  
 Tel: 01902842556, 07595789051 Email: [office@wheatonastonparishcouncil.gov.uk](mailto:office@wheatonastonparishcouncil.gov.uk)

**SCHEDULE OF CHARGES**

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost Parish Council	Photocopying @ 10.p per sheet (black & white)	Actual cost to the
Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class	
All fees to be paid in advance		