



Bramhope & Carlton Parish Council

Standing Orders

Revised September 2023

Standing Orders

The processes and procedures for Bramhope and Carlton Parish Council are reviewed annually. The review process is:

- Working party consisting of the Clerk, the Chair of the Finance & Administration Committee, and at least one other member of Finance & Administration
- Formal review of completed draft at a meeting of the Finance & Administration Committee
- Formal approval by the full Parish Council and sign off by the Chair

In the change control table below, Date of Change is the date of review by a meeting of Finance & Administration Committee

Date of Change	Version Number	Change	Authors	Approver	Date of Approval
24/10/16	1.0	Major revision to reflect publication of NALC Model Standing Orders and creation of B&CPC Financial Regulations	Cllrs Cooper, Howard Nicola Woodward (Clerk)	Parish Council	23/11/2016
24/10/17	2.0	Annual Review		Parish Council	22/11/2017
	3.0	Revision to reflect GDPR	Nicola Woodward (Clerk)	Parish Council	25/7/2018
	4.0	Annual Review	Nicola Woodward (Clerk)	Parish Council	23/1/2019
19/11/19	6.0	Annual Review <ul style="list-style-type: none"> • Playground Working Group 	Nicola Woodward (Clerk)	Parish Council	28/11/2019
17/11/20	7.0	Annual Review <ul style="list-style-type: none"> • Alignment with NALC Model Standing Orders • Corrections to Agendas for Annual Parish Meeting and Annual Village Meeting • Committees replacing Working Groups • Removal of Financial Controls information unnecessarily duplicating Financial Regulations • Consistency with Financial Regulations 	Cllrs Fogel, Howard / Nicola Woodward (Clerk)	Parish Council	25/11/2020
26/01/2022	8.0	Annual Review <ul style="list-style-type: none"> • Amendment to include additional content under the section relating to the Code of Conduct, using model NALC wording. 	Cllrs Fogel, Howard, Nicola Woodward (Clerk)	Parish Council	26/02/2022
Nov 22	9.0	Annual Review <ul style="list-style-type: none"> • Amendment to include new procurement rules, inclusion of voting on appointments, disorderly conduct, code of conduct complaints, management of information 	Cllrs Fogel, Howard, Nicola Woodward (Clerk)	Parish Council	23/11/22
Sept 22	10.0	Amendment to procurement threshold due to new legislation	Nicola Woodward (Clerk)	Parish Council	20/09/23

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DEFINITIONS AND INTERPRETATION

Annual Meeting of the Council

The required Annual Meeting of the Parish Council to elect the Chairman, Vice Chairman, Responsible Financial Officer, Internal Auditor and any other posts that the Council resolves to establish

Annual Parish Meeting

Meeting called and addressed by the Chairman to review and report on the activities of the Parish Council over the financial year

Masculine/feminine pronoun

In these Standing Orders, whenever a masculine pronoun is used a feminine pronoun shall be substituted if and when applicable

1. ANNUAL MEETINGS

- (a) **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- (b) **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- (c) If no other time is fixed the Annual Meeting of the Council shall take place at 6.00pm.
- (d) The Annual Parish Meeting, summoned by the Chairman to report to the parishioners, will generally be held in May, on a date to be determined annually.

2. FULL COUNCIL MEETINGS

Full Council Meetings shall be held monthly, normally the fourth Wednesday of the month, except the months of December, or as and when convened by the Chairman. *NB : There is an obligation imposed by Schedule 12 of the Local Government Act 1972, as amended by the Local Government Act 2000, whereby Parish Councils shall hold a minimum four meetings per annum in addition to the Annual Meeting.*

3. CONVENING MEETINGS

- (a) The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- (b) **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- (c) Three clear days at least before a meeting of the Council :
 - (i) notice of the time and place of the intended meeting shall be affixed in some conspicuous place in the Parish, and where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business proposed to be transacted thereat;
 - (ii) a summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Clerk to the Council shall be left at, e-mailed or sent by post to the usual place of residence of every member of the Full Council. Provided that want of service of the summons on any member of the Council shall not affect the validity of a meeting.
- (d) Seven clear days at least before the Annual Parish Meeting :
 - (i) notice of the time and place of the intended meeting shall be affixed in some conspicuous place in the Parish and signed by the Chairman;
 - (ii) a summons to attend the meeting, specifying the only business to be transacted thereat and signed by the Chairman shall be left at, e-mailed or sent by post to the usual place of residence of every member of the Full Council. Provided that want of service of the summons on any member of the Council shall not affect the validity of a meeting.
- (e) 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.
- (f) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.

(g) 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.

4. QUORUM : FULL COUNCIL

No business shall be transacted at a meeting of the Full Council unless at least one-third of the whole number of members of the Full Council are present thereat. Provided that in no case shall the quorum be less than three members.

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.

5. DECISION ON QUESTIONS

- (a) All acts of the Council, Committees and Sub-committees and all questions coming or arising before the Council, Committees and Sub-committees shall be done and decided by a majority of the members of the Council, Committees and Sub-committees present and voting thereon at a meeting of the Council, Committees and Sub-committees
- (b) In the case of an equality of votes, the Chairman or the person presiding shall have a second or a casting vote.
- (c) 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.

6. MODE OF VOTING

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.

The mode of voting of the Council, Committee and Sub-committee meetings shall be by show of hands and on the requisition of any member of the Council the voting on any question shall be recorded by the Clerk or minute-taker so as to show whether each member present voted for, against or abstained from that question.

The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her/their casting vote whether or not he/she/they gave an original vote.

7. VOTING ON APPOINTMENTS

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

8. CHAIRMAN AND VICE-CHAIRMAN

- (a) The Chairman of the Council shall be elected annually by the Council from among the Councillors of the Parish.
- (b) The election of the Chairman of the Council shall be the first business transacted at the Annual Meeting of the Council.
- (c) The Chairman shall, unless he resigns or ceases to be qualified or becomes disqualified, hold office until his successor is elected.
- (d) The Council shall appoint a member of the Council to be Vice-Chairman of the Council.
- (e) The Vice-Chairman of the Council, unless he has resigned 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.
- (f) In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.
- (g) If the person presiding at the Annual meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office, he may not give an original vote in an election for a Chairman.
- (h) If a member of the Council is not present at the Annual Meeting then whilst he or she cannot propose themselves directly to be the chairman for the forthcoming year any of the other councillors present can propose that the absent councillor be the chairman and for the Council to vote that absent councillor into the office of chairman. In his or her absence the Council will be required to agree that the individual concerned sign their declaration of acceptance of the office of chairman form at a later date. If that form were not signed by that date, then further to Section 83(4) of the Local Government Act 1972 the office of chairman would fall vacant.

9. CHAIRMAN OF MEETINGS

- (a) At an Annual Parish, Annual and Full Council Meeting the Chairman of the Council, if present, shall preside.
- (b) If the Chairman is absent from an Annual Parish, Annual or Full Council meeting the Vice-Chairman, if present, shall preside.
- (c) If both the Chairman and Vice-Chairman of the Council are absent from an Annual Parish, Annual or Full Council Meeting, the members present shall choose one of their number to preside.
- (d) Any power or duty assigned to the Chairman of the Council in relation to the conduct of a meeting may be exercised by the person presiding at a meeting.

10. PROPER OFFICER

- (a) The Proper Officer shall be either (i) the Clerk or (ii) other staff members(s) nominated by the council to undertake the work of the Proper Officer as provided by the Local Government Act 1972 when the Proper Officer is absent.
- (b) The Proper Officer shall:
 - At least 3 least days before a meeting of the council, a committee or a sub-committee serve on councillors a summons, by email, confirming the time, place and agenda provided any such email contains the electronic signature and title of the Proper Officer.
 - i) Give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);
 - ii) Convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - iii) Receive and retain copies of byelaws made by other local authorities;

- iv) Retain acceptance of office forms from Councillors
- v) Retain a copy of every councillor's register of interests;
- vi) Assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Legislation, in accordance with and subject to the council's policies and procedures relating to the same;
- vii) Facilitate the inspection of the minute book by local government electors

Duties and delegations for the Clerk are outlined in Appendix C.

11. MINUTES

- (a) Minutes of the proceedings of a meeting of the Council, or a Committee thereof, shall be drawn up and entered in a book kept for that purpose, and shall be signed at the next ensuing meeting of the Council or Committee, as the case may be, by the person thereat, and any minute purporting to be so signed shall be received in evidence without further proof.
- (b) Until the contrary is proved, a meeting of the Council, Committee or Sub-committee thereof in respect of the proceedings whereof a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are the proceedings of a Committee or Sub-committee, the Committee or Sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.
- (c) All minutes of the proceedings of the Council shall be open for inspection by any member of the Council, and by any member of the public during reasonable hours. Copies of minutes are available to the general public on the website.

12. NAMES OF MEMBERS PRESENT TO BE RECORDED

The names of the members present at a meeting of the Full Council, Committees and Sub-committees shall be recorded.

13. VACANCIES ETC NOT TO INVALIDATE PROCEEDINGS

The proceedings of the Full Council, Committee or a Sub-committee thereof shall not be invalidated by any vacancy among its number, nor by any defect in the election or qualification of any member thereof.

14. ANNUAL MEETING ORDER OF BUSINESS

- (a) The first business at the Annual Meeting shall be the election of the Chairman of the Council.
- (b) The next business at the Annual Meeting shall be the election of a Vice-Chairman.
- (c) In an election year delivery by the Chairman of the Council and councillors 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.
- (d) To adjourn and reconvene the meeting in order for any members of the public present to address the meeting if they wish to do so.
- (e) In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- (f) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- (g) Following the election of a new Councillor or Council following an election, each member shall sign the Council's declaration form as proscribed by the Local Authority (Model Code of Conduct) (England) (Order 2001).
- (h) To conduct the remaining order of business as described in Section 14 (b to j) Review of delegation arrangements to committees, sub-committees, staff and other local authorities

- (i) Review of the terms of reference for committees;
- (j) Appointment of members to existing committees;
- (k) Appointment of any new committees in accordance with standing order 26 below;
- (l) Review of representation on or work with external bodies and arrangements for reporting back;
- (m) Review of inventory of land and assets including buildings and office equipment;
- (n) Confirmation of arrangements for insurance cover in respect of all insured risks;
- (o) Review of the council's and/or staff subscriptions to other bodies;
- (p) Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

15. FULL PARISH COUNCIL MEETING ORDER OF BUSINESS

Except where the Council, on the grounds of urgency, varies the order of business, the order of business at every meeting of the Full Council shall be :

- (a) To choose a person to preside if the Chairman or Vice-Chairman be absent
- (b) To receive apologies for absence given in advance of the meeting and to consider the approval of reasons given for absence
- (c) To receive declarations of disclosable pecuniary interest or other interest
- (d) After consideration, to approve the signing of the minutes of the previous meeting by the person presiding as a correct record;
- (e) To adjourn the meeting to allow members of the public to speak, if there are any present
- (f) Reconvene the meeting
- (g) To deal with business expressly required by statute to be done;
- (h) To dispose of business, if any, remaining from the last meeting, or arising out of the Minutes;
- (i) To consider correspondence addressed to the Clerk or to any member of the Council;
- (j) To receive and consider reports from officers of the Council, Committees and of Sub-committees;
- (k) To authorise payments or approve a "Statement of Accounts for Payments" from a Committee or a Sub-committee appointed to have these delegated powers;
- (l) To consider notices of motion in the order which they have been received;
- (m) Any other business specified in the summons to the meeting.
- (n) The Council may at any meeting vary the order of business so as to give precedence to any business which, in the opinion of the Chairman, is of special urgency, but such business shall not displace business falling under items (a) and (b) of this order.

16. NOTICE OF MOTION

- (a) A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- (b) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 3 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 16(b), correct obvious grammatical or typographical errors in the wording of the motion.
- (d) If the Proper Officer considers the wording of a motion received in accordance with standing order 16(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 3 clear days before the meeting.
- (e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- (f) The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- (g) Motions received shall be recorded and numbered in the order that they are received.

- (h) Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

17. MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE

- (a) Appointment of a Chairman of the meeting at which the motion is made.
- (b) Motions relating to business under discussion.
- (c) Motions relating to the accuracy of the minutes, closure, adjournment, order of business, or next business.
- (d) Reference to a Committee, Sub-committees or Working Party.
- (e) That the Council does resolve itself into a Committee.
- (f) That leave be given to withdraw a motion.
- (g) Suspending Standing Orders.
- (h) Excluding the press.
- (i) Excluding the public.
- (j) That a member be no longer heard.
- (k) Inviting a member to remain.
- (l) Giving consent of the Council where the consent of the Council is required by these Standing Orders.

18. RULES OF DEBATE

A motion or an amendment shall not be discussed during Full Council or Committee meetings unless :

- (a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- (b) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- (c) A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- (d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- (e) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- (f) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- (g) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- (h) A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- (i) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- (j) Subject to standing order 18(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- (k) One or more amendments may be discussed together if the chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.
- (l) A councillor may not move more than one amendment to an original or substantive motion.
- (m) The mover of an amendment has no right of reply at the end of debate on it.
- (n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- (o) Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor.
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke.
 - iii. to make a point of order.
 - iv. to give a personal explanation; or

- v. to exercise a right of reply.
- (p) During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- (q) A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- (r) When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion.
 - ii. to proceed to the next business.
 - iii. to adjourn the debate.
 - iv. to put the motion to a vote.
 - v. to ask a person to be no longer heard or to leave the meeting.
 - vi. to refer a motion to a committee or sub-committee for consideration.
 - vii. to exclude the public and press.
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- (s) Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

19. DISORDERLY CONDUCT

- (a) No person (whether councillor, public or press) shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
- (b) If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- (c) If a resolution made under standing order 19(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

20. RESCISSION OF PRECEDING RESOLUTION

No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been negative within the preceding six months, shall be proposed unless the notice thereof given in pursuance of Standing Order No.16 bears the name of at least two-thirds of the members of the Council. When any such motion has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.

This order shall not apply to motions in pursuance of the report or recommendations of a Committee of the Council.

21. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

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.

If any member of the public or press interrupts the meeting, the Chairman of that meeting may, after warning, order that person's removal from the Council room in accordance with Standing Order 19 (b).

- (a) The period of time designated for public participation at a meeting in accordance with standing order 21 above shall not exceed 10 minutes unless directed by the chairman of the meeting.
- (b) Subject to standing order 21(a) above, a member of the public shall not speak for more than 5 minutes. This may be varied at the Chairman's discretion.
- (c) 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.
- (d) In accordance with standing order 21(c) 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.
- (e) Subject to standing order 21(f), 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.
- (f) A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- (g) 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.

22 MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL

If any question arises at a meeting of the Council, Committee, Sub-committee or Working Group as to the appointment, promotion, dismissal, salary or conditions of service, or as to the conduct of any person employed by the Council, Committee, Sub-committee or Working Group, it should be considered by the Council with the press and public excluded in accordance with Standing Order 21.

23. INTEREST OF MEMBERS : CODE OF CONDUCT (ENGLAND)

- (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) The Clerk to the Council is required to compile and hold a Register of Members' Interests by agreement with the Council's Monitoring Officer of the Responsible Authority.
- (d) If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk to the Council. A candidate who fails so to do shall be disqualified for such appointment, and if appointed, may be dismissed without notice. The Clerk to the Council shall report to the Council or to the appropriate Committee any such disclosure. Where the relationship to a member is disclosed, this Standing Order shall apply. The Clerk to the Council shall make known the purpose of this Standing Order to every candidate.
- (e) 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.

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.
- (f) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee for which the dispensation is required and that decision is final.
- (g) A dispensation may be granted in accordance with standing order 23(d) 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.

24. CODE OF CONDUCT COMPLAINTS

- (a) Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 42, report this to the Council.
- (b) Where the notification in standing order 24(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 24(d).
- (c) The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- (d) Upon notification by the Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

25. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- (a) Canvassing of members of the Council, Committee, sub-committee or of any Working Party, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk to the Council shall make known the purpose of this subparagraph of this Standing Order to every candidate.
- (b) A member of the Council, Committee, sub-committee or of any Working Party, shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

26. APPOINTMENT OF COMMITTEES & SUB-COMMITTEES & WORKING GROUPS

The Full Council shall, at the Annual Meeting, appoint such statutory and other Committees, Sub-committees and Working Groups as are necessary to carry out the work of the Council but, subject to any statutory provision in that behalf :

- (a) Shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting of the Council;
- (b) May appoint persons other than members of the Council to any Working Group; and
- (c) May, subject to the provision of Order 19 above, at any time dissolve or alter the membership of a Committee, Sub-committee or Working Group.
- (d) Membership of Advisory Committees or Working Groups can include non-councillor members, who have a right to vote, except for an advisory finance committee, which can only include councillors as members.

27. COMMITTEES AND SUB-COMMITTEES

- (a) Three members of any Standing Committee shall form a quorum;
- (b) The Chairman and Vice-Chairman of the Council shall be ex-officio a member of every Standing Committee;
- (c) The Chairman and Vice-Chairman of the Council have the right to attend any Standing Committee meeting, if they choose to do so, as an ex-officio member and will be invited by the Clerk;
- (d) The Chairman and Vice-Chairman of the Council attending meetings in the capacity of an ex-officio member of a Standing Committee will have the right to vote;
- (e) Every Committee shall, at its first meeting, before proceeding to any other business, elect a Chairman, who shall hold office until the next Annual Meeting of the Council and in his absence from any meeting of the Committee, the members present shall elect a Chairman for that particular occasion;
- (f) In the case of an equality of votes at any meeting of a Committee, the Chairman for the time being shall have a second or casting vote.
- (g) The proceedings of all Committee meetings shall be duly recorded in a minutes book. The minutes will be proposed and seconded by a member of that Committee at the next available opportunity at a Full Parish Council meeting, and certified as correct by signature of the Chairman of the Parish Council;

The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
 - ii. the names of councillors present and absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made.
- (h) The Chairman of a Committee or the Chairman of the Council may summon an additional meeting of that Committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than three members of the Committee. The summons shall

set out the business at the special meeting and no other business shall be transacted at that meeting. Three days clear notice shall be given of any such meetings;

- (j) The ordinary meetings of a Committee shall be held at such times as the Committee may from time to time appoint and at least three clear days notice shall be given to each member of every such meeting;
- (k) Standing Orders numbered 16 and 26 above shall also apply to Committee and Sub-committee Meetings.

28. WORKING GROUP

- (a) The Council, Committee or Sub-committee may create Working Groups;
- (b) The Council, Committee or any Sub-committee shall inform the members of each Advisory group of the terms of reference of the group;
- (c) A Working Group may make recommendations and give notice thereof to the Council, Committee or Sub-committee to which it reports;
- (d) The Chairman and Vice Chairman of the Council shall be ex-officio members of each Working Group.
- (e) Standing Orders numbered 27 (c) and 27 (d) shall also apply to ex officio members of Working Group Meetings.
- (f) A Working Group may consist wholly of persons who are not members of the Council;
- (g) A Working Group shall not be required to take or publish minutes of Meetings.
- (h) A Working Group shall not have any powers of expenditure or to commit the Council to any works, services, goods or expenditure.

29. ACCOUNTS AND FINANCIAL STATEMENT

- (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council;
- (b) Where it is necessary to make a payment before it has been authorised before the Council, such payment shall be certified as to its correctness and urgency by the Clerk. Such payment shall be authorised for payment by the Clerk, the Chairman and/or Vice-Chairman and/or one other full Parish Council Member. In the absence of both Chairman and Vice-Chairman two other Full Parish Council Members will authorise the payment.
- (c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule laid before the Council;
- (d) Every electronic banking payment shall be created by the Clerk, or the Councillor nominated to raise payments in the Clerk's absence, and authorised on-line by two full Parish Council Members and the monthly payment schedule will be signed by the signatories.
- (e) A cheque or other order for payment of money by the Council shall be signed by three members of the Council or two members and the Clerk. Counterfoils (stubs) shall also be initialled by the cheque signatories;
- (e) The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September;
- (f) Any Committee or Sub-Committee desiring (and empowered) to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than November of the preceding year.
- (g) The Council may at any meeting authorise the Clerk to incur exceptional expenditure up to the maximum of the current limit in accordance with the Clerk's agreed delegated powers. See Appendix B

30. 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 **£30,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- (b) All procurement and contracting should follow the rules laid down in the Parish Council's Financial Regulations.
- (c) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose
- (d) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant thresholds referred to in standing order 30(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- (e) 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 Clerk;
 - v. Tenders shall be opened by the Clerk in the presence of the Chairman, Vice-Chairman or one other full Parish Council Member;
 - 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) Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

31. CONFIDENTIAL BUSINESS

- (a) No member of the Council or of any Committee, Sub-Committee or Working Party shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the Committee, Sub-Committee or Working Party as the case may be.
- (b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any Committee, Sub-Committee or Working Party of the Council by the Council.

32. LEGAL DOCUMENTS

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

33. CUSTODY OF COUNCIL BOOKS, DEEDS AND PAPERS

The Clerk shall have charge of all books, deeds and papers belonging to the Council, and they shall not be removed from their custody without sanction of the Council.

34. REQUESTS FOR INFORMATION

- (a) Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000
- (b) Correspondence from, and notices served by The Information Commissioner shall be referred by the Proper Officer to the Chairman. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

35. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

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

36. RELATIONS WITH THE PRESS/MEDIA

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.

37. INSPECTION OF LANDS

Only a member of the Council authorised to do so by the Council, Committee, Sub-Committee or Working Party may inspect any lands or premises which the Council has the right or duty to inspect, or enter upon or issue any order respecting any works which are being carried out by or on behalf of the Council.

38. VARIATION AND REVOCATION

Any motion to vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

39. SUSPENSION OF STANDING ORDERS

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 with the consent of a three-quarter majority of the Full Council present (i.e. 10 Councillors)

40. COPY OF STANDING ORDERS

A copy of these Standing Orders shall be supplied to each member of the Council and to the Clerk to the Council.

41. REVIEW OF POLICIES

A review of all policies will take place on an annual basis by the relevant committee, sub-committee or working party. Any amendments to policies will be presented to the next Full Parish Council for agreement.

42. MANAGEMENT OF INFORMATION

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

43. RESPONSIBILITY TO PROVIDE INFORMATION

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.

APPENDIX A

COMMITTEES & WORKING GROUPS - TERMS OF REFERENCE

The following Terms of Reference apply to each of the Committees and Working Groups established by Full Council under Items 27 and 28 of these Standing Orders.

Planning Committee

1. Duties
 - (a) To review all planning applications, make decisions on behalf of the Full Council and submit recommendations to Leeds City Council.
 - (b) To identify applications with major implications for the village and arrange for the earliest presentation of the application to the Full Council for their decision.
 - (c) To monitor ongoing development & liaison with the Planning Officers and/or Planning Panel as appropriate
 - (d) To monitor all enforcement issues with Leeds City Council
 - (e) To monitor any relevant strategic planning issues, proposals and consultation exercises emanating from Local & Central Government, the Region and other external sources and formulate comments on behalf of the Parish Council. Any comment/response will be reviewed by Full Council prior to submission.
 - (f) To review/promote the Village Design Statement as required.
- 2 Powers
 - (a) A Planning Group meeting should not make decisions without a minimum of three Councillors being present.
 - (b) Councillors may not meet planning applicants outside of the Planning Meeting without first informing the Clerk to the Council plus the Full Council Chairman and Vice Chairman, in writing, either electronically or by letter.
 - (c) Membership of the Planning & Enforcement Committee must comply with Standing Order 26
 - (d) The Planning Group does not have a delegated Budget.
 - (e) For Planning Applications relating to Trees only – The Clerk has delegated power to comment on Planning Applications relating to trees. The Clerk will seek advice on a case by case basis, from members of the Planning Committee, prior to submitting a comment.

Village Maintenance Committee

1. Duties
 - (a) To review the village maintenance work schedule and prioritisation & allocation of all new projects
 - (b) To oversee the work of the village caretaker, temporary seasonal assistance and all preferred contractors
 - (c) To overview & manage all Parish Council owned land and properties
 - (d) To liaise with Leeds City Council for cleaning, sweeping & grass cutting.
 - (e) To oversee the work of any cleaning personnel or contractor services required in addition to those services provided by Leeds City Council.
 - (f) To manage the annual grass-cutting contracts for the Parish Council's properties.
 - (g) To liaise with the Village in Bloom group and resident volunteers.
 - (h) To produce that element of the Parish Council's Village Plan relating to the environment.
- 2 Powers
 - (a) The Village Maintenance Committee cannot authorise major works over the current sum authorised by the Full Council; or works that would have a substantial visible impact, in a sensitive area of the village, without a detailed presentation for authorisation by the Full Council, for either the expenditure or the sensitive works.

- (b) Membership of the Village Maintenance Committee must comply with Standing Order 26.
- (c) The Village Maintenance Committee will have an authorised budgetary spend for any one item in a month with an overall sum in any one month unless authorised by the Full Council to expend a larger sum on an authorised project. These two sums will be the current authorisation set by the Full Council. See Appendix B

Communications Committee

1. Duties

- (a) To manage the Communications strategy as presented to and agreed by the Full Council.
- (b) To co-ordinate and produce the publication of the Parish Newsletter
- (c) To liaise with the other village-based groups & organisations either directly or through the nominated Parish Council representatives
- (d) To oversee the delivery of all web-based communications and the development of the website as presented to and agreed by the Full Council.
- (e) To ensure the accuracy of the content and that nothing appears either in the Newsletter, on the Website or social media that could involve the Parish Council in legal disputes or bring its reputation into disrepute.

2. Powers

- (a) The Communications Committee cannot authorise substantial changes to the Newsletter or Website without a detailed presentation for authorisation by the Full Council for either additional expenditure or the proposed changes.
- (b) Before the Newsletter goes to print the final draft should be read and signed off by the Chairman of the Communications Committee or in his absence the Chairman or Vice Chairman of the Full Council.
- (c) Membership of the Communications Committee must comply with Standing Order 26.
- (d) The Communications Committee will have an authorised budgetary spend for any one item in a month unless authorised by the Full Council to expend a larger sum on an authorised project. The sum will be the current authorisation set by the Full Council. See Appendix B.

Finance & Administration Committee

1. Duties

- (a) To review the budget & expenditure
- (b) To monitor budgets devolved to Committees once approved by the Full Council
- (c) To collate 'bids' in preparation of the annual precept
- (d) To recommend a precept to Full Council
- (e) To review, rents & fees and make recommendations to Full Council
- (e) To review all Parish Council Grant applications and make recommendations to Full Council
- (f) To review and report on financial matter as may be delegated by the Full Council
- (g) To review and report annually on relevant policies and procedures.

2. Powers

- (a) The Finance Committee can only recommend a precept to the Full Council.
- (b) The Finance Committee can authorise expenditure up to the limits stated in Appendix B on behalf of the Full Council, Committees or Working Groups.
- (c) Membership of the Finance Committee must comply with Standing Order 26

Cemetery Advisory Committee

1. Duties

- (a) To review cemetery fees and make recommendations to Full Council
- (b) To review maintenance of the Cemetery and make recommendations to VMC or Full Council
- (c) To undertake and monitor progress on projects relating to the cemetery

2. Powers

- (a) The Cemetery Advisory Committee can only make recommendations regarding Cemetery income & expenditure as financial matters must be approved and sanctioned by the Full Council.
- (b) The Cemetery Advisory Committee cannot authorise any expenditure either on behalf of the Full Council, Committee, Sub-Committee, or Working Group
- (c) Membership of the Cemetery Advisory Committee must comply with Standing Order 26.

Personnel Committee

1. Duties

- (a) To review staffing structures and levels and make recommendations to Full Council
- (b) To agree and review annually contracts of employment, job descriptions and person specifications for staff.
- (c) To review staff salaries and terms of conditions and make recommendations to the Full Council regarding changes within the salary banding structure.
- (d) To manage the recruitment of staff and where appropriate make recommendations to Full Council.
- (e) To act as a disciplinary or grievance panel.
- (f) To review health & safety at work for all Council employees and ensure the appropriate training is provided and any equipment requirements are recommended to VMC or Full Council.
- (g) To review all Council policies that relate to staff employment on an annual basis.
- (h) To ensure the Council complies with all legislative requirements relating to the employment of staff.
- (i) To ensure that an annual appraisal is undertaken for all council employees.

2. Powers

- (a) Membership of the Personnel Committee must comply with Standing Order 26.
- (b) The Personnel Committee can authorise expenditure on training, recruitment and relevant administrative costs within respective budget limits.

Projects Working Groups

1. Duties

- (a) To review, scope, plan, manage and deliver projects agreed with Full Council, within the scope of the project budget.
- (b) The Projects Working Group will report to either the relevant Committee or Full Council as agreed when the working group is established.

2. Powers

- (a) The Projects Working Groups cannot authorise any expenditure either on behalf of the Full Council, Committee, Advisory Committee or Working Group.
- (b) Membership of the Working Groups must comply with Standing Order 26.
- (c) The Projects Working Groups do not have a delegated budget

APPENDIX B

COMMITTEES & SUB-COMMITTEES – DELEGATED BUDGETS

Below are the delegated budgets for the Clerk to the Council and the Committees and Sub-committees for any expenditure agreed within their Terms of Reference.

These will be reviewed in May each year at the Annual Parish Council Meeting.

Clerk to the Council

In accordance with Item 27 (h) the delegated budget is £500.

In accordance with Item 28 (c) the following limits are set:

Village Maintenance Committee (VMC)

The VMC will have an annual budget set by Full Council of which the VMC may authorise expenditure for any one item of £2500 subject to an overall expenditure limit of £3500 in any one calendar month.

Any such expenditure must be reported to Full Council at the next available Parish Council meeting.

Communications Committee (CC)

The Communications Committee will have an annual budget set by Full Council of which the Communications Committee may authorise expenditure for any one item of £1500 subject to the limit of the annual budget allocation. Any such expenditure must be reported to Full Council at the next available Parish Council meeting. Any expenditure above the annual budget must be agreed by Full Council.

Finance Committee (FC)

The Finance Committee will have an annual budget set by Full Council of which the Finance Committee may authorise expenditure for any one item of £1000 subject to the limit of annual budget allocations. Any such expenditure must be reported to Full Council at the next available Parish Council meeting. Any expenditure above the annual budget must be agreed by Full Council.

Personnel Committee (PC)

The Personnel Committee will have an annual budget set by Full Council of which the Personnel Committee may authorise expenditure for any one item of £500 subject to the limits of the annual budget allocations. Any such expenditure must be reported to Full Council at the next available Parish Council meeting. Any expenditure above the annual budget must be agreed by Full Council.

APPENDIX C

DELEGATION TO EMPLOYEES

The Parish Clerk

- (a) The Clerk shall be the proper officer and carry out the functions of the Proper Officer as provided by the Local Government Act 1972. Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- (b) The Clerk should monitor and be responsible for all incoming and outgoing council correspondence;
- (c) Manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- (d) Arrange for legal deeds to be executed; (see Standing Order 32)
- (e) Arrange or manage the prompt authorisation, approval and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- (f) Record every planning application notified to the council and the council's response to the local planning authority;
- (g) The Clerk shall Manage all employees (not including any variation of employment contracts and not any matters relating to grievances lodged against him/her) of the council.
- (h) The Clerk shall, in the first instance, handle and acknowledge all complaints regarding the council (except where the complaint relates to the Clerk).
- (i) The Clerk shall arrange and call meetings of the council, its committees and sub-committees in consultation with the relevant chair;
- (j) The Clerk shall carry out and implement any council, committee or sub-committee decision;
- (k) The Clerk has delegated power to comment on Planning Applications relating to tree Applications.
- (l) The Clerk has delegated power to book courses or purchase educational materials to the value of £50 per item without approval from Full Council, subject to the authorised training budget not being exceeded.