



Bradford on Avon Town Council

Minutes of the Full Town Council meeting of
BRADFORD ON AVON TOWN COUNCIL held
on Tuesday 6th July 2021 at 7p.m in St. Margaret's Hall

Attendance – Town Council

Cllr K Bessant*
Cllr S Blackwell
Cllr D Garwood
Cllr S Gibson
Cllr S McNeill-Ritchie
Cllr J Parker
Cllr A Potter
Cllr T Trimble
Cllr K Vigar
Cllr J Vittles
Mrs S Bartlett (Town Clerk)
Mr I Brown (Director of Operations)
Ms S Hawkins (Accountant)
*arrived 7.10pm

Members of the public: Kate Nottage, Andrew Nicolson, Jeremy Wire, Christian Sullivan, Maxine Harraway, Tessa Edgecombe, Paige Balas, Paul Hayward, Phil Carder, Judith Dale, Holly Taylor, Elliott, James Harrington, Gail Plant and Kim Brown.

Apologies: Cllr E Franklin and Cllr A Kay

15. Declarations of interest

Cllr Garwood declared a pecuniary interest in the item on the Social Distancing Scheme as he owns a house on Market Street.

16. Social Distancing Scheme

Cllr Trimble gave an update of the current situation and explained the complexities of continuing with this scheme. After discussion, the Chairman tabled her motion.

Cllr McNeill-Ritchie expressed his support for the proposed consultation exercise - although he questioned the need for 'full traffic modelling' on the grounds that the Town had been subject to extensive modelling over recent years and at some stage the Town Council needed to start taking action.

However, he believed that the motion did not go far enough, and he therefore proposed two amendments:

Firstly, he believed that the bigger problem was caused by through traffic crossing the town. He therefore proposed that the Town Council require Wiltshire Council, together with B&NES Council, to take urgent steps to tackle the problem.

Secondly, and irrespective of what Wiltshire Council claimed about its powers in the matter, Cllr McNeill-Ritchie believed that the Town Council should make clear its views about what it would like to happen to the current scheme - at least until the proposed consultation had taken place. Chairman accepted the first amendment, but asked to defer a discussion about what recommendation to make to Wiltshire Council to a later date. Cllr McNeill-Ritchie pointed out that the next Council Meeting was not scheduled until September - after the date by which Wiltshire Council was expected to take a decision on the continuation of the current scheme. After some discussion with the Town Clerk, Chairman suggested that the Town Council could convene a short public meeting to decide what recommendation to make to Wiltshire Council. On that basis, Cllr McNeill-Ritchie was happy to defer the matter to another meeting.

It was proposed by the Chairman, seconded by Cllr Vigar and with all in favour it was **RESOLVED:-**
(i) To request Wiltshire Council to undertake a full traffic modelling exercise, including analysis of pedestrian safety, carbon footprint and air quality impacts of each scenario, and that the Town Council support the combined consultation with Wiltshire Council in the autumn taking into account the data collected and the modelling outcome;
(ii) As a matter of urgency, we request that Wiltshire Council investigate ways of ameliorating the through traffic currently blighting Bradford on Avon and other settlements in West Wiltshire, including engaging in meaningful dialogue with Bath and North East Somerset Council.

17. Minutes

It was proposed by the Chairman seconded by Cllr Trimble and with all in favour it was **RESOLVED:** to accept the minutes from the annual Council meeting held on the 18th May 2021 as a true record.

18. Matters arising – none

19 Chairman's Report

The Chairman's Report was circulated with the agenda. Chairman reported that the BoA Unlocked took place last Sunday and she said that the Deputy Mayor had a good time opening and taking part in this event.

Chairman said that she attended the opening of the Wine Street Book stop and book launch on the 3rd July 2021. An initiative she would like to see rolled out across the town.

Chairman reported that she had been in contact with Wiltshire Climate Alliance and will be sending a letter on behalf of the council to the Secretary of State requesting a 'call-in' of the planning application for an incinerator at Westbury.

20. Town Conference 1st June 2021

The new committee structure for 2021-22 was discussed and changes made to the membership of committees, with Cllr Bessant joining the Town Development Committee and Cllr Garwood joining the Sustainable Travel Committee. Cllr Trimble suggest that the name was changed of the Pedestrian Safety & Air Quality Committee to Sustainable Travel.

(Draft Terms of Reference and meeting dates for 2021-22 were accepted.

It was proposed by the Chairman, seconded by Cllr Parker and with all in favour it was **RESOLVED:** To accept (i) the Committee Structure and Membership for 2021-22 as attached.

(ii) the Draft Terms of Reference as attached and (iii) the Calendar of meeting dates 2021-22 as attached.

21. Annual Report from 1st April 2020 to 31st March 2021

The draft Annual Report was discussed. It was proposed by Cllr Trimble, seconded by Cllr Bessant and with all in favour it was **RESOLVED:** To accept the draft Annual Report from 1st April 2020 to 31st March 2021.

22. Living Green Wall

Item from Environment & Planning Committee. After discussion it was proposed by the Chairman, seconded by Cllr Bessant and with all in favour it was **RESOLVED:** To support the fundraising and to 'top up' the funding from Bradford on Avon Town Council by £15,000, to complete the project. Officers to decide which cost centre the funds should be spent from.

23. External bodies

Representation on external bodies was considered.

- (i) Mount Pleasant Centre – Cllr Blackwell and Cllr Vigar.
- (ii) Fitzmaurice Trust – Cllr Potter
- (iii) German Twinning – Cllr Kay and Cllr McNeill-Ritchie
- (iv) French Twinning – Cllr Kay and Cllr McNeill-Ritchie

24. Financial Regulations

The changes in the Financial Regulations were noted. Chairman proposed, seconded by Cllr Potter and with all in favour it was **RESOLVED:** To adopt the Financial Regulations for 2021-22.

25. Code of Conduct and Standing Orders

As recommended by the Resources Committee from the meeting held on the 29th June 2021, to adopt the Code of Conduct and Standing orders.

26. General Power of Competence

It was noted that as the Clerk had the General Power of Competence qualification and that more than two thirds of the councillors had been elected, it was in order for the council to use the General Power of Competence up to the next election in 2025.

27. Health and Safety Policy and Environment Policy

It was proposed by Cllr Vittles, seconded by Cllr Parker and with all in favour it was **RESOLVED:** To adopt the Health and Safety Policy and Environment Policy.

28. Boundary Commission for England

It was noted that the Town Council is displaying the maps and associated documents for the consultation on boundary changes, which runs from 8th June until 2nd August 2021. Bradford on Avon will now fit into 26. Melksham and Devizes for selecting their Member of Parliament. Members did not wish to comment on the consultation.

29. Media Policy

Draft Media Policy was discussed. It was proposed by Cllr Garwood, seconded by Cllr Vigar and with all in favour it was **RESOLVED:** That the Media Policy be adopted.

The meeting closed at 9.05p.m.

Members of the public who spoke at the Full Council meeting on the 6th July 2021.

1. Kate Nottage from Whitehill – She said that Mark McKellan and Sarah Gibson had already given her a reply. To say that the no entry regulation at the top of Whitehill will be treated as a separate matter to the one-way system at Wiltshire Council. Chairman advised she could not guarantee that but would push for it.

2. Andrew Nicolson spoke about policies, money and climate. On policies he said we had an active travel plan and neighbourhood plan. On money he said that we want a bridge, so we will have to join the queue. On climate change it was 8½ years to 2030 when we have to be carbon neutral. We need to make radical changes in how we live our lives, think up new ways of travelling with carrots and sticks. The sticks will be restrictions on private motoring. Will you do these things?

3. Jeremy Wire asked 'Who will be responsible for framing the questions that will form the consultation?', 'Will the questions be formed to unite the town or slip into creating further division?', 'Can the consultation be restricted only to those who are resident in the town and immediate vicinity?' and 'Can you assure me that there will be an option to reduce the amount of through traffic'. The Chairman responded and said that the consultation was still being designed,

4. Christian Sullivan spoke about the health issues from the traffic with the particulates in the atmosphere. He said he was concerned at the pollution levels and they should be reduced. He said he has had a business here for 30 years and they had suffered an economic impact from the social distancing scheme. He asked why were the NO2 tubes placed up the lighting poles so high. Cllr Trimble said that was to stop them being vandalised. Chairman advised that historical data was available in Market Street and Silver Street.

5. Maxine Harraway said that Wine Street the traffic had improved tremendously and was much safer.

6. Tessa Edgecombe said that she lived on Market Street and that it was dangerous for her to get out of her front door because of motorists driving at speed along the pavement and that her neighbour had been trapped by a vehicle stopped on the pavement so that she could not use her front door. She also mentioned concerns about the amount of traffic going along the medieval street, it being so narrow, if the one-way system was removed. She said that the pollution in Market Street was reduced and that she found that she only had grey dust and not black particulates. She recognised that it had been said that some businesses were not doing as well but that she had spoken to many that were and that they were getting more customers, and that there were no longer big lorries driving over the pavements, and people felt safer in the centre of town. She said that more lateral thinking was required with sequential T.T.R.O.s.

7. Paige Balas said that there were quite a lot of houses in her street Newtown. The Ropewalk had 32 apartments and the Old Brewery with flats and businesses there. She said that members need to take in other roads into consideration.

8. Paul Hayward from New Road said he wanted a date when the social distancing scheme will be removed? Traffic along his road had tripled. He said there were 1,000 vehicles per hour from 8.30am in a residential road. Cllr Trimble said it was due to be taken out in the next few weeks and that Public Health Wiltshire would be involved in the decision.

9. Phil Carder from New Road says that hell starts at 5am in the morning. He wants to know does the social distancing scheme stay or go when the temporary order finishes?

10. Judith Dale We understand that today's Council meeting will consider the temporary Traffic Scheme for Social Distancing and will recommend on future, successor arrangements.

We write to ask that the traffic regulation applying to Whitehill should properly be considered as a self-contained matter and its future considered separately for the following reasons:

1 If the temporary scheme simply lapses, we must assume Whitehill will revert to the long-standing and ineffective 'Access Only' provision.

This was intended to restrict through traffic for which the road is inherently unsafe. Over the last thirty years the volume and speed of through running has grown inexorably. In occasional discussions with officers from the Police and Highways, they have acknowledged that Access Only provisions are unenforceable and widely abused, generally and not just here.

2 The temporary scheme applied 'No Entry at top' signage which has proved very successful in deterring almost all through-running vehicle traffic.

A survey of residents earlier this year confirmed that most of those responding preferred this arrangement. It should be emphasised that this is not solely to the residents' benefit, but provides also for numbers of cyclists and pedestrians, including children walking to and from school, who use this traffic calmed route to/from the north side of town.

3 Whatever may be the outcome on the wider One-Way System scheme, we ask the Town Council to recommend retention of the 'No Entry' provision at the top of Whitehill because it better and cost-

effectively achieves the purpose of the long-standing Access Only regulation. This could be done by a further temporary regulation, pending appropriate consultation on permanent arrangements.

11. Elliott from Mount Pleasant spoke about the Clean Air Zone and wondered if we could have something like that here. Chairman explained that Defra paid for theirs and that 24 cities were chosen that had the worst air quality.

12. Holly Taylor said that she runs traffic consultations in her day job. She said that we did not have a E.T.R.O. and the current T.T.R.O. for 18 months was due to expire on the 17th August 2021. Holly was surprised that we did not have a copy of it.

13. James Harrington spoke on behalf of his father Simon. Though we have only lived in the town for 3 years in Newtown, we are aware of the long history of traffic problems.

The one-way system is a huge improvement, thank-you.

The air is much cleaner, pedestrians are safer and there is less disturbance and disruption for the shops and traders in the town.

May I make four additional suggestions:

1. Control the speed in the one-way scheme by adopting the system popular and highly successful in many small towns in France:

Widen the pavements permanently, developing a series of chicanes, with low stone walls enclosing flower beds which contain bushes, shrubs (and even flowers) where the pavement is widest.

The traffic has to negotiate these carefully and therefore slowly, though without the need for constant gear changing.

The greenery absorbs the pollution and the noise. This would work wonderfully on Market Street and particularly well on Silver Street.

2. Introduce a radar-controlled traffic light system which shows the speed of approaching vehicles, flashes red when the speed is too high, shows steady green when the speed is controlled, and also incorporates a camera to record speeding vehicles. This too has proved efficient and highly effective in France.

3. Control the speed further by introducing speed bumps at both ends of the bridge.

4. Widen the pavement on one side of the bridge to allow pedestrians to pass each other; remove the pavement altogether on the other side.

14. Gail Plant from New Road said that the T.T.R.O. ends on the 20th August 2021. She said it was an E.T.R.O.. She says this whole process has caused her a lot of stress and anxiety. Her neighbours can't sell their homes.

15. Kim Brown from Market Street – she said there was a pedestrian safety issue in Market Street. She said that this area needed to be treated separately to keep both young and old safe.



Committee Structure and Membership for 2021/22

Environment & Green Spaces Committee	Community & Well-being Committee
1 Cllr Sarah Gibson	1 Cllr Sarah Gibson
2 Cllr Katie Vigar	2 Cllr Katie Vigar
3 Cllr Alex Kay (Chairman)	3 Cllr Jennie Parker (Chairman)
4 Cllr Emma Franklin	4 Cllr Kate Bessant
5 Cllr Alison Potter (Vice-Chairman)	5 Cllr Emma Franklin (Vice-Chairman)
6 Cllr Tim Trimble	6 Cllr Sam Blackwell
7 Cllr Kate Bessant	7 Cllr Alison Potter
8 Cllr Jack Vittles	8 Cllr Jack Vittles
Town Development Committee	Resources Committee
1 Cllr Sarah Gibson	1 Cllr Sarah Gibson (Vice-Chairman)
2 Cllr Katie Vigar	2 Cllr Katie Vigar
3 Cllr Alison Potter	3 Cllr David Garwood
4 Cllr David Garwood	4 Cllr Sam Blackwell (Chairman)
5 Cllr Jack Vittles (Chairman)	5 Cllr Jennie Parker
6 Cllr Tim Trimble	6 Cllr Alex Kay
7 Cllr Simon McNeill-Ritchie	
8 Cllr Alex Kay	
9 Cllr Kate Bessant	
Sustainable Travel Committee	
1 Cllr Sarah Gibson	
2 Cllr Katie Vigar	
3 Cllr Jack Vittles	
4 Cllr Tim Trimble (Chairman)	
5 Cllr Sam Blackwell	
6 Cllr Jennie Parker	
7 Cllr Alison Potter	
8 Cllr David Garwood	

Bradford on Avon Town Council



Committee Terms Of Reference 2021



**BRADFORD
ON AVON**
TOWN COUNCIL

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- 10) Charities
- 11) Colonel William Llewellyn Palmer Educational Charity
(included for completeness)



**BRADFORD
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Control and Adoption:

Action:	Who:	Date:	Comment:
Drafted	Ops Manager	28th May 2019	
Agreed	Town Clerk	12 th June 2019	
Consultation	Committee Chairs		
Consultation	Members	10 th June 2019	Town Conference
Adopted	Full Council	2 nd July 2019	
Revised	Director of Ops	2 nd June 2021	
Agreed	Town Clerk		
Adopted	Full Council	6 th July 2021	



Committee Membership

Committee Structure and Membership for 2021/22	
Environment & Green Spaces Committee	Community & Well Being Committee
1 Cllr Sarah Gibson	1 Cllr Sarah Gibson
2 Cllr Katie Vigar	2 Cllr Katie Vigar
3 Cllr Alex Kay (Chairman)	3 Cllr Jennie Parker (Chairman)
4 Cllr Jennie Parker	4 Cllr Kate Bessant
5 Cllr Alison Potter	5 Cllr Emma Franklin (Vice-Chairman)
6 Cllr Tim Trimble	6 Cllr Sam Blackwell
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1 Cllr Sarah Gibson	1 Cllr Sarah Gibson (Vice-Chairman)
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3 Cllr Alison Potter	3 Cllr David Garwood
4 Cllr David Garwood	4 Cllr Sam Blackwell (Chairman)
5 Cllr Jack Vittles (Chairman)	5 Cllr Jennie Parker
6 Cllr Tim Trimble	6 Cllr Alex Kay
7 Cllr Simon McNeill-Ritchie	
8 Cllr Alex Kay	
9 Cllr Kate Bessant	
Sustainable Travel Committee	
1 Cllr Sarah Gibson	
2 Cllr Katie Vigar	
3 Cllr Jack Vittles	
4 Cllr Tim Trimble (Chairman)	
5 Cllr Sam Blackwell	
6 Cllr Jennie Parker	
7 Cllr Alison Potter	
8 Cllr David Garwood	

Committee Terms of Reference



BRADFORD
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Introduction

1. Creation of Committees

Under the Local Government Act 1972, The Town Council created the following committees at the Full Town Council Meeting on 8th June 2021.

• Community and Well Being	• Sustainable Travel
• Environment and Green Spaces	• Resources
• Town Development	

2. Aims

This document, which is adopted as policy by the Council, lays out the Terms of Reference for each committee, and the interactions between the committees.

The arrangements will be reviewed no less than annually, and as often as required to ensure the efficiency of the decision-making.

3. Powers of Committees

3.1 Delegated Items

The Full Town Council will delegate such powers to committees, and it sees fit, within its own powers, these powers are identified in this document. **No committee** may act in a way which exceeds these powers.

3.2 Non-Delegated Items

Powers not explicitly delegated to Committees are deemed to be reserved to the Full Town Council

3.3 Spending by Committees

Each Committees will be provided with an annual budget which is agreed by the Full Council as part of the budget setting process. An individual item spending cap will also be put in place, items above that cap will be subject to scrutiny by the Resources Committee, or Full Council, whichever is sooner.

Items in excess of £30,000 shall be referred to Full Council along with any items requiring the Council to incur a loan.

4. Spending Limits

4.1 The delegated committee item spending limit/cap are set out in the table below; these have been revised as per the financial regulations 2019.

Committee	Delegated Spending Limit (per proposal)
Community and Well Being	£10,000
Environment and Green Spaces	£10,000
Sustainable Travel	£10,000
Resources	£30,000
Town Development	£10,000

4.2 The Town Clerk and Director of Operations are delegated spend authority of up to £5,000, and/or any regulatory requirements upon the Town Council.

Full Council

The following matters shall be reserved for decision by the 12 Members of Bradford on Avon Town Council, but the appropriate committee/s make the recommendation for the Councils consideration:



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1. Set the precept
2. Agree budget
3. Authorise the borrowing of money
4. Making, amending or revoking Standing Orders, Financial Regulations and Terms of Reference
5. Making, amending or revoking By Laws
6. New powers or duties
7. Making of orders under Statutory Powers
8. Authorising the sealing of various documents with the Common Seal
9. Matters of principle or policy
10. Prosecution or defence in a Court of Law
11. Appointment of the Leader of the Council (if required)
12. Appointment of the Town Mayor and Deputy Town Mayor
13. Appointment of Committee chairman
14. Appointment of Committees, and the names and Members appointed to each Committee.
15. Determining the functions and constitution of Committees and Sub-Committees.
16. Appointment of Sub-Committees and project steering groups (task limited) and Working Groups
17. Confirms the schedule of meetings of the Town Council and its' Committees for the ensuing year
18. Nomination or appointment of representatives of the Town Council on any authority, organisation or body (except approved conferences or meetings)
19. Nomination or appointment of representatives of the Council to any enquiry or matters affecting the Town
20. Actions on comments and recommendations made by the External Auditor
21. Receipt of reports and recommendations referred to the Town Council from the various Committees, Sub-Committees and Working Groups
22. Any other matters not delegated to a Committee or Sub-Committee or matters referred to the Council by Committees or Sub-Committees
23. To deal with all issues where time prevents them being referred to the relevant Committee
24. To approve comments on planning applications if referred by the Environment and Planning Committee
25. To approve statements one and two for the AGAR (Annual Governance and Accountability Return)
26. To adopt annually various policies of the Town Council.
27. To adopt to use the General Power of Competence.

Community and Well Being



**BRADFORD
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1. Membership

- 1.1 Six Members plus Chairman of the Deputy Mayor ex-officio
- 1.2 The Chairman will be elected at the Annual Full Council meeting
- 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
- 1.4 No business may be transacted at the meeting unless at least half of the members of the committee are present
- 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Community and Well Being committee will manage social, community and engagement policy. Overseeing Council communications, developing initiatives and oversight of the services that the council provide in relation to recreation, youth services, engagement, health and wellbeing.

The committee will work in liaison with the Area Board, Community groups and other third sector organisations.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

- 3.1 Community Engagement
- 3.2 Liaise with Wiltshire Council Area Board and the wider community area parish councils
- 3.3 Grant making to support the local community, within the terms of the council's aims
- 3.4 Health and Wellbeing initiatives
- 3.5 Youth Services
- 3.6 Provision for older and vulnerable older people including dementia and dementia friends.
- 3.7 Oversee resident engagement
- 3.8 Arts and culture activities
- 3.9 Develop Engagement via Residents Panel
- 3.10 Liaise with Police and other statutory providers and other relevant agencies
- 3.11 Liaise with community organisations which have an interest in recreational facilities in the Town
- 3.12 Oversee proposals, including applications for funding, that fall within these Terms of Reference
- 3.13 Community Services in the town and surrounding areas
- 3.14 To identify and promote projects that will involve or provide activities for people of all ages
- 3.15 To consider any matters including the Arts or Sport or Leisure activities
- 3.16 To act as steering committee for commissioned Youth Services
- 3.17 Any other matters referred to it by Full Council, which is not within their Terms of Reference

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters:

- 4.1 Provision of additional community facilities deemed necessary or desirable
- 4.2 Improvements to services within the Committees' sphere of responsibilities
- 4.3 To make proposals following any investigation or review of any matter relating to youth work in the town
- 4.4 To make proposals following any investigation or review of any matter relating to Arts and Culture Sports or Leisure activities.
- 4.5 Any other matters referred to Community and Well Being Committee by the Town Council which is not within these Terms of Reference
- 4.6 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies



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Environment and Green Spaces



**BRADFORD
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TOWN COUNCIL

1. Membership
 - 1.1 Six Members plus Chairman of the Council and Deputy Mayor ex-officio
 - 1.2 The Chairman will be elected at the Annual Full Council meeting
 - 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
 - 1.4 No business may be transacted at the meeting unless at least three of the members of the committee are present
 - 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Environment and Green Spaces committee will develop environmental and ecological policy and landscape management plans. Developing initiatives and oversight of the services that the council provide in relation to street scene services, green spaces and play areas.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion

- 3.1 Environment and Ecological strategy
- 3.2 Liaising with Wiltshire Council following and other relevant agencies on the Council's declaration of Carbon Neutral 2030
- 3.3 Develop and deliver initiatives to support the Councils declaration of Carbon Neutral 2030
- 3.4 Policy regarding the provision of the following services; Parks, Open Spaces, assets owned or managed by the Town Council
- 3.5 Sports and Leisure activities
- 3.6 Managing and developing the Community Emergency Volunteers (CEV's), Clean Up Bradford on Avon (Club) and other volunteer groups
- 3.7 Encourage, and assist in the development of independent volunteer groups within the town
- 3.8 Any other matters referred to it by Full Council, which is not within their Terms of Reference

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters:

- 4.1 To make proposals following any investigation or review of any matter relating to Sports or Leisure activities.
- 4.2 Improvements to services within the Committees' sphere of responsibilities
- 4.3 Any other matters referred to the Environment and Green Spaces Committee by the Town Council which is not within these Terms of Reference
- 4.4 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Sustainable Travel



1. Membership
 - 1.1 Six Members plus Chairman of the Council and Deputy Mayor ex-officio
 - 1.2 The Chairman will be elected at the Annual Full Council meeting
 - 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
 - 1.4 No business may be transacted at the meeting unless at least half of the members of the committee are present
 - 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The pedestrian safety and air quality committee will develop and promote an agreed strategy on air quality, pedestrian safety, reducing congestion and the delivery of complementary tactical initiatives and liaison with the Wiltshire Council Community Area Transport Group (CATG) to improve transportation within the town.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion

- 3.1 To make observations as necessary, to the responsible authority or organisation on matter affecting the public transport in the Town
- 3.2 To maintain existing bus shelters and street furniture and to consider provision of new items where necessary within the approved budget
- 3.3 To consider issues affecting roads/traffic impact which the Town Council is consulted in or which the Town Council has interest, except those issues to be referred to Full Council
- 3.4 Investigate methods of improving the pedestrian safety situation and air quality within the town
- 3.5 Engage with Wiltshire Council to devise and implement measure to try to reduce traffic-related problems in and around the town
- 3.6 To make reports and consider recommendations from Wiltshire Council Community Area Transport Group (CATG)
- 3.7 Liaise with Lorry Watch, Speed Watch and relevant stakeholders
- 3.8 To liaise with Wiltshire Council on the maintenance of footpaths and cycleways.

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters

- 4.1 To highlight, after investigations or review any transport/safety/pollution matter relating to, or impacting on Bradford on Avon
- 4.2 Any other matters referred to the Pedestrian Safety and Air Quality Committee by the Town Council which is not within these Terms of Reference
- 4.3 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Resources



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1. Membership

- 1.1 Four Members plus the Chairman of the Council and Deputy Mayor ex-officio
- 1.2 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
- 1.3 No business may be transacted at the meeting unless at least half of the members of the committee are present
- 1.4 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Resources committee will act as the council scrutiny committee in all matters that are referred and for all committee expenditure over capped committee spending levels. The committee will have responsibility for financial management, including budgeting and oversight, HR matters, governance policies and IT.

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

- 3.1 To confirm all financial accounting matters except setting of the precept and borrowing of money
- 3.2 To receive quarterly Accounts Management Reports and Internal Audit Reports
- 3.3 To receive reports on sample testing for accuracy of paid invoices of goods and services
- 3.4 To receive reports on sample testing for accuracy and prompt payment of Sundry Debtor Invoices
- 3.5 Draft Budget prior to the Annual Budget Meeting including setting and agreeing of fees and charges along with terms and conditions
- 3.6 Chairman of Resources Committee and Mayor (or Deputy) to carry out the Town Clerks staff appraisal and agree objectives
- 3.7 To agree with the Town Clerk any issues relating to staffing levels/structure and salary grades
- 3.8 To delegate to the Town Clerk and Director of Operations the advertising of staff appointments and to arrange interviews and appointment of new staff, other than for the position of Town Clerk or Director of Operations
- 3.9 To delegate to the Town Clerk and Director of Operations the evaluation and implementation of salary grades within the salary budget
- 3.10 To deal with any staff complaint concerning the Town Clerk
- 3.11 To deal with any staff matters referred by the Town Clerk
- 3.12 To consider and bring to conclusion any matters emanating from Grievance and Disciplinary procedures contained in the Contract of Service applicable to members of staff employed by the Town Council and be the point of contact for any appeal
- 3.13 To agree the training requirements for staff and councillors within the agreed budget
- 3.14 To agree Service Level Agreements with external agencies
- 3.15 To act as Scrutiny Committee and as a Tender Committee, where no other has been appointed, as and when necessary and to report the outcome of any tendering procedure to the relevant committee within budget
- 3.16 All rent reviews and lease renewals of Town Council property
- 3.17 Seeking of grants for Town Council projects
- 3.18 To ensure that the Council complies with Health and Safety legislation
- 3.19 To ensure that the Council complies with GDPR and Information Management legislation
- 3.20 Oversight of the management and administration of all council operations
- 3.21 To deal with consultations which time prevents being presented to Full Council

4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters:



**BRADFORD
ON AVON**
TOWN COUNCIL

4.1 All matters of policy (council and public)

4.2 Be responsible and monitor all aspects of corporate governance- according to four fundamental principles of corporate governance:

- Openness
- Integrity
- Inclusivity
- Accountability

4.3 Monitor the Council's Business Plan

4.4 Review the Town Councils Standing Orders and Financial Regulations as and when necessary

4.5 Responsible for the recruitment of senior staff appointments

4.6 Identify and propose actions following review of quarterly financial accounts

4.7 Approve expenditure by other Committees, where above their capped levels

4.8 Any other matters referred to Resources Committee by the Town Council which is not within these Terms of Reference

4.9 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

Town Development



**BRADFORD
ON AVON**
TOWN COUNCIL

1. Membership

- 1.1 Six Members plus the Chairman of the Council and the Deputy Mayor ex-officio
- 1.2 The Chairman will be elected at the Annual Full Council meeting
- 1.3 Membership will be confirmed at the Annual Full Council; any over subscription will be decided at the meeting or at the Council's Annual Conference
- 1.4 No business may be transacted at the meeting unless at least half of the members of the committee are present
- 1.5 Substitution of Members- Substitutes will be nominated by the Member of the Committee planning to be absent and notified to the Proper Office in writing by 3pm on the day of the meeting

2. Aims

The Town Development committee will undertake the Council's forward planning and strategic development, including built environment, sustainable business development and tourism. The committee will oversee Town Council events.

The committee will undertake the council's statutory consultee function and provide planning development advice to Full Town Council

3. Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion

- 3.1 Developing and maintaining the infrastructure of the town
- 3.2 Proposing and implementing any policy related to Asset Transfer
- 3.3 To liaise with Wiltshire Council on the continuing regeneration and development of Bradford on Avon Town Centre
- 3.4 Digital Infrastructure
- 3.5 Town Council Property
- 3.6 Developing and supporting the local economy, and encouraging sustainable businesses
- 3.7 To consider matters relating to Town events organised either by the Council or other organisations
- 3.8 Formulate and promote the Town Council's Tourism Strategy
- 3.9 Promoting the town local events, facilities, activities and accessibility
- 3.10 Managing and developing the Tourist Information Centre volunteers
- 3.12 To liaise with the private, public and voluntary sectors to seek ways of increasing participation in partnership opportunities, networking, fundraising and joint projects to benefit of the local economy
- 3.13 To oversee town profile exercises to evaluate key performance indicators and plan future projects
- 3.14 Any other matter referred to it by Full Council, which is not within their Terms of Reference



4. Referred Business

The Committee will consider and make recommendations to the Town Council on the following matters:

- 4.1 To consider developments which, in the opinion of the Committees would be a benefit to the Town
- 4.2 To propose after, investigation or review of any matter relating to the purchase, sale or disposal of land or property, or taking forward any other matters concerning land or property as required by the Town Council
- 4.3 To highlight, after investigations or review of any matter relating to the protection and improvement of Bradford on Avon
- 4.4 Strategic housing needs planning (for referral to Full Council)
- 4.5 Making recommendations to the Council following any investigation or review of any matter relating to the town architectural heritage and character of its built and natural environments
- 4.6 Making recommendations to the Council following any investigation or review of any matter relating to local community schemes to reduce the environmental impact on the town
- 4.7 Any other matters referred to the Town Development Committee by the Town Council which is not within these Terms of Reference
- 4.8 The Committee shall appoint Working Groups as and when it is deemed necessary and shall set out Terms of Reference for those bodies

5. Permanent Planning Sub Committee

The Sub Committee has delegated authority to deal with the following matters to conclusion

- 5.1 To comment on behalf of the Council on planning applications having due regard for the Town Councils policies
- 5.2 Planning Enforcement referral to Wiltshire Council
- 5.3 The Committee is delegated and must consult and agree with a minimum of three Members to comment on behalf of the Council on planning applications and report to the next Town Development committee meeting
- 5.4 To undertake all powers and duties of the Council in respect of Neighbourhood Planning and Development under the Localism Act
- 5.5 To make suggestions in respect of street naming
- 5.6 To make representations involving Listed Buildings and the Conservation Area in Bradford on Avon
- 5.7 Public Services- to act as the consultee, make representations and support as required all matters relating to:
 - Housing Strategy
 - Utility Services (gas, electricity, telecommunications, water sewage, flooding etc)
 - Waste Infrastructure
 - Mineral extraction
 - Planning policy changes
 - Licensing applications

Charities



**BRADFORD
ON AVON**
TOWN COUNCIL

1. Background

Bradford on Avon Town Council is the corporate trustee of three charities.

Local authorities are empowered by section 139 of the Local Government Act 1972 to receive and hold gifts on charitable trusts. This may include money or assets left by donors, or charitable trusts created by ancient royal charters or acts of parliament.

Local authorities are well suited to being charity trustees; in particular councils are:

- Rooted in the local community
- Open and transparent in their dealings
- Highly accountable for their actions
- Have high standards of public conduct embedded in the way they work.

2. Charities Details

Colonel William Llewellyn Palmer Educational Charity - No. 1015681
Bearfield Playing Field – No. 305471
Festival Gardens – No. 305472

The Colonel William Llewellyn Palmer Educational Charity (CWLPEC) consists of both funds and assets whilst the Bearfield Playing Field and Festival Gardens are assets with no funding.

3. Meetings

Meeting to be held to report on annual activity and agree a workplan for the following year.

4. Business

- Act in the charity's best interests
- Manage the charity's resources responsibly
- Act with reasonable care and skill
- Agree the budget
- Agree policies to support the charity's aims

5. Delegated business

The following responsibilities have been delegated to Town Council Officers

The active management and administration of the charity's (CWLPEC – will have its own ToR)

1. Membership

- 1.1 All Members of Bradford on Avon Town Council may attend the panel
- 1.2 The two Wiltshire Unitary Councillors for Bradford on Avon may attend the panel – non-voting
- 1.3 The panel will be co-ordinated by the Town Council Staff
- 1.4 No business may be transacted at the meeting unless three Town Councillors are present
- 1.5 The panel will meet at least twice a year.

2. Aims

The Charity is for the benefit of children and young person's up to the age of 25 attending, or who have attended, schools in Bradford on Avon, and for the provision of recreational facilities for the same age group in the town.

3. Business

The panel has delegated authority to deal with the following matters to conclusion

General

- The panel's core role is a focus on strategy, performance and assurance
- The panel takes a collective responsibility for its decisions
- Agrees priorities, processes and a productive culture and has members and staff who are able to govern well and add value to the charity
- The panel shares values, consistent with the charity's purpose, that it wishes to promote and makes sure that these values underpin all its decisions and the charity's activities
- The panel recognises, respects and welcomes diverse, different and, at times, conflicting trustee views
- The panel provides oversight and direction to the charity and support and scrutiny to the organisation
- The panel, through its relationship with the staff, creates the conditions in which the staff are confident and enabled to provide the information, advice and feedback
- Panel members must declare any private interests, both pecuniary and non-pecuniary, that relate to their charity responsibilities, and must take steps to resolve any conflicts arising in a way that protects the charities interests

Specific

- To promote the education of children and young person's attending schools maintained by the LEA and grant-maintained schools in Bradford on Avon.
- To promote the education of children and young persons under the age of 25 who have attended such schools or who are resident in Bradford on Avon and who are in need of financial assistance.
- Towards providing facilities in the interest of social welfare for the recreation and other leisure time occupation of children and young persons under the age of 25 resident in Bradford on Avon with the object of improving their conditions of life.
- Agree policies to support the charity's aims
- Grant making to support the local community, within the terms of the charity's aims
- Agree the budget

The panel will fulfil a number of roles in, to include for due diligence purposes

- Governance
- Risk Management
- Financial Management, with emphasis on the assets held in the form of endowment
- Physical management of the assets comprising the Recreation Ground and Allotments

4. Delegated Business

The following responsibilities have been delegated to Town Council Officers

Registration of the charity

Produce annual report

Produce annual accounts (audited)

Produce and send an annual return (or annual update) and other information to the Commission

Keep separate records and accounts for the charity

Make recommendations to the panel for the awarding of grants in line with the charity's aims

The active management and administration of the charity



**Bradford on Avon Town Council
Meeting Dates April 2021- March 2022**

Meeting	Time	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
Full Council	19:00	13	18*		6		7		9		11		8
Environment & Green Spaces	19:00				20		28		16			1	
Town Development (including Planning)	19:00				13		21		23		25		22
Community & Wellbeing	19:00			22			14		30			8	
Sustainable Travel	19:00				27			12			18		29
Resources	19:00			29				19		14			15
Annual Town Meeting/Gathering		Not required											
Delegated Planning meetings		7,21	12,26	2,16	7,21	4,18	1,15	6,20	3,17	1,15	5,19	2,16	2,16, 30



STANDING ORDERS

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Introduction

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in "Local Councils Explained" by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

How to use model standing orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '()' requires information to be inserted by a council. A model standing order that includes brackets like this '[']' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b 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 1(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.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (5) minutes without the consent of the chairman of the meeting.

2. Disorderly conduct at meetings

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

3. Meetings generally

- Full Council meetings ●
 - Committee meetings ●
 - Sub-committee meetings ●
-
- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
 - b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
 - c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
 - d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
 - e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
 - f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 30 minutes unless directed by the chairman of the meeting.
 - g Subject to standing order 3(f), a member of the public shall not speak for more than 2 minutes.

- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- 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.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- 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 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.**
- **m A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- **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.**
- **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 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.**
- **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.**
- **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.**

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.

- **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.

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

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- **u 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.**

- **v No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w **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.
-
-
- x A meeting shall not exceed a period of 2½ hours.

4. Committees and sub-committees

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 7 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, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;

- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

5. Ordinary council meetings

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 7pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman 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 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.**
- 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 annual 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 shall 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 of the Council at the annual meeting, the business 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;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
- 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 other assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable 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 policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;

- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to 31st March (year end).

6. Extraordinary meetings of the council, 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 call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. Previous resolutions

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

8. Voting on appointments

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

9. Motions for a meeting that require written notice to be given to the proper officer

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory

functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 7 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.

10. Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i to correct an inaccuracy in the draft minutes of a meeting;
 - ii to move to a vote;
 - iii to defer consideration of a motion;
 - iv to refer a motion to a particular committee or sub-committee;
 - v to appoint a person to preside at a meeting;
 - vi to change the order of business on the agenda;
 - vii to proceed to the next business on the agenda;
 - viii to require a written report;
 - ix to appoint a committee or sub-committee and their members;

- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. Management of information

See also standing order 20.

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

12. Draft minutes

- Full Council meetings ●
- Committee meetings ●
- Sub-committee meetings ●

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

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

13. Code of conduct and dispensations

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless 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 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 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.**

14. Code of conduct complaints

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

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

15. Proper officer

- a The Proper Officer shall be either (i) the clerk or (ii) Director of Operations 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 (7) 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 (if there is one);
- 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 Vice-Chairman of the Town Development Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next Town Development Committee or Planning Sub-Committee; Three members together can also make a delegated recommendation.
- 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).

16. 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.

17. Accounts and accounting statements

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".

- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c 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 (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. Financial controls and procurement

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;

- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. 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 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and 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 £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services 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 £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of Resources committee is subject to standing order 11.
- b The Chairman and Vice-Chairman of the council shall conduct a review of the performance and annual appraisal of the work of the Town Clerk.
- c Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chairman of Resources Committee or in his absence, the Vice-Chairman of the Resources committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Resources Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the Chairman or Vice-Chairman of Resources Committee, this shall be communicated to another member of the Resources Committee, which shall be reported back and progressed by resolution of the Resources Committee.
- e Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- f In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. Responsibilities to provide information

See also standing order 21.

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

21. Responsibilities under data protection legislation

Below is not an exclusive list. See also standing order 11.

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

22. Relations with the press/media

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

23. Execution and sealing of legal deeds

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**

The above is applicable to a Council with a common seal.

24. Communicating with Unitary Councillors

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

25. Restrictions on councillor activities

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

26. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

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The Model Standing Orders 2018 for England were revised in 2020.



**BRADFORD ON AVON TOWN COUNCIL
MODEL FINANCIAL REGULATIONS 2019 FOR ENGLAND**

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These Financial Regulations were adopted by the council at its meeting held on 6th July 2021.

1. General

1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.

1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3. The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;
- to prevent and detect inaccuracy and fraud; and
- identifying the duties of officers.

1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.

1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.

1.7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.

1.8. The Clerk 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;

¹ Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)



- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the council its accounting records and accounting control systems;
- ensures the accounting control systems are observed;
- maintains the accounting records of the council up to date in accordance with proper practices;
- assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
- produces financial management information as required by the council.

1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

1.11. The accounting records determined by the RFO shall in particular contain:

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the council; and
- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the RFO shall include:

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

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



- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bads debts;
- declaring eligibility for the General Power of Competence
- addressing recommendations in any report from the internal or external auditors, shall be a matter for 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 £10,000; 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. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

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

2. Accounting and audit (internal and external)

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

2.2. On a monthly 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 [Resources Committee].

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 council 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 November, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the [relevant committee 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 Full Council for all items over [£10,000];
- a standing committee of the council such as Environment & Green Spaces, Town Development, Community and Wellbeing, Pedestrian Safety and Air Quality for items up to £10,000; the Resources Committee is the Council's scrutiny committee and can spend up to £30,000.
- The Clerk or Director of Operations has the authority to spend up to £5,000 and to report back to Council.
- a duly delegated committee of the council for items over £500; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, 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 in October.

4.5. In cases of extreme risk to the delivery of council services, the clerk and Director of Operations 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 £5000. The Clerk 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 £500 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.

5.2. All invoices for payment shall be examined, verified and certified by 2 councillors to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

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

5.4. The Clerk/RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

a) 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/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].

5.5. For each financial year the Clerk/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 Resources 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 Resources Committee.

5.6. 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.

5.7. In respect of grants Community & Wellbeing Committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council.



5.8. 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.

5.9. 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.

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

6. Instructions for the making of payments

6.1. The council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk/ RFO shall give instruction that a payment shall be made.

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

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, 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.

6.7. 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.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by bacs transfer 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.



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 RFO. A programme of regular checks of standing data with suppliers will be followed.

6.19. Any corporate credit card account opened by the council will be specifically restricted to use by the RFO 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.

6.20. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.

a) The RFO shall maintain a petty cash float of £400 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.3 above.]



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 RFO.

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 the internal auditor;
- b) by the external auditor; or
- c) 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.

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/ 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.

8.4. 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 Clerk or Director of Operations.

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.



9.8. 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 charity 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.

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 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 Regulations².

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)³.

d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.

e) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.

² 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

³ Thresholds currently applicable are:

- a) For public supply and public service contracts 209,000 Euros (£189,330)
- b) For public works contracts 5,225,000 Euros (£4,733,252)



- g) Any invitation to tender issued under this regulation shall be subject to Standing Orders[], ⁴[standing order 19 (d) and shall refer to the terms of the Bribery Act 2010.
- h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below [£3,000] and above [£100] the Clerk 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 Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

13. Stores and equipment

⁴ Based on NALC's Model Standing Order 18d ©NALC 2018



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. Director of Operations shall be responsible for periodic checks of stocks and stores at least annually.

14. Assets, properties and estates

14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

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 £250.

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 Clerk shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.

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

15.4. 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.

15.5. 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 Clerk/RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk/ 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 Clerk/RFO 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 Clerk/RFO 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 Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.

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.



**Bradford on Avon
Town Council**

Code of Conduct

This Code of Conduct is composed of a number of sections which together are the Code of Conduct of Bradford on Avon Town Council, all sections and sub-sections apply to the conduct of councillors in accordance with the Localism Act 2011 and will be taken into account when any complaints regarding councillors are considered by the Monitoring Officer.

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Code of Conduct –

Part 1: The Principles

You are a Member or co-opted Member of Bradford on Avon Town Council and hence you shall have regard to the following **Seven Principles of Public Life**.

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

Selflessness - Holders of public office should act solely in terms of the public interest.

Integrity - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try, inappropriately, to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty - Holders of public office should be truthful.

Leadership - Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to question their own behaviour and challenge poor behaviour wherever it occurs.



The Principles are interpreted in further detail at Bradford on Avon Town Council as follows:

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements of leadership and example. Accordingly, when acting in your capacity as a Member or co-opted Member:

You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.

You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, impartially, fairly and on merit, using the best evidence and without discrimination and bias.

You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.

You must be as open as possible about your decisions and actions and the decisions and actions of Bradford on Avon Town Council, and should be prepared to give reasons for those decisions and actions.

You must be honest and truthful, ensuring that at all times you do not misrepresent the democratic decisions and actions of the council and you do not say or otherwise publish information that could denigrate councillors, officers, the council, or otherwise bring the council into disrepute. You may not edit or assist or support others to edit, any film, recording or photographs of the proceedings of the Council and its committees in a way that could lead to misinterpretation of the proceedings. This includes editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being photographed, recorded or filmed or supporting and assisting any others to do so. If a councillor publishes anything on social media which is inaccurate and untruthful or otherwise seeks to portray the actions of the council in a way which fails to provide correct and accurate information, it is not acceptable under this Code of Conduct for them or anyone else to base any defence upon such material being the 'cut and thrust of political debate' or similar.

You must, when using or authorising the use by others of the resources of Bradford on Avon Town Council, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

You must be professional in all your dealings and treat all those with whom you come into contact, with consideration and respect. Working relationships, including with officers and other councillors should be proper and appropriate. Harassing, bullying or other inappropriate or discriminating behaviour, wherever it takes place, is not consistent with the Code and will not be tolerated.

You shall never undertake any action which would cause significant damage to the reputation and integrity of Bradford on Avon Town Council as a whole, or of its Members generally.



Code of Conduct - Part 2:

Registering & Declaring Pecuniary & Non-Pecuniary Interests

A. Statutory Interests

When acting in your capacity as a Member or co-opted Member:

You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests in a manner conforming with the procedures set out below.

You must, within 28 days of taking office as a member or co-opted member, notify Wiltshire Council's Monitoring Officer* of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify Wiltshire Council's Monitoring Officer* of any disclosable pecuniary or non-pecuniary interests which Bradford on Avon Town Council has decided should be included in the register.

If an interest has not been entered onto the register you must disclose the interest to any meeting of Bradford on Avon Town Council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.

Following any disclosure of an interest which is not on the register or the subject of pending notification, you must notify Wiltshire Council's Monitoring Officer* of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a disclosable pecuniary interest as defined by regulations made by the Secretary of State.

You must not participate in a discussion or vote in a matter to be considered at a meeting if you have any interest, whether registered or not, if a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision making in relation to that matter.

You should demonstrate leadership including actively promoting and robustly supporting the Seven Principles of Public Life and be willing to examine and questions your own behaviour and challenge poor behaviour wherever it occurs.

If you have any doubts about whether you are required to declare an interest, you are advised to declare it to avoid further questions arising about the possibility of an interest.

*This information will be published on the Wiltshire Council website and can be undertaken by the Town Clerk on your behalf if you pass the information to the Town Clerk.

B. Additional Interests

Additionally, you must observe the restrictions Bradford on Avon Town Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by Bradford on Avon Town Council. (see Standing Order number 13)

Additional 'Part B' non-pecuniary interests which are required to be disclosed to a meeting but do not exclude Members from participating, unless the member feels that it would be appropriate for them to voluntarily leave the room during the item under consideration.

- a) anybody of which the councillor is a member or in a position of general control or management and to which the councillor is appointed or nominated by the Council;
- b) anybody exercising functions of a public nature of which the councillor is a member or in a position of general control or management;
- c) anybody directed to charitable purposes of which the councillor is a member or in a position of general control or management;
- d) anybody one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which the councillor is a member or in a position of general control or management.

Code of Conduct - Part 3:

Member/Officer Protocol

1. INTRODUCTION AND PRINCIPLES

1.1 This Protocol is to guide Members and Officers of the Council in their relations with one another so as to ensure the smooth running of the Council and to satisfy the ethical standards required.

1.2 Given the variety and complexity of such relations this Protocol does not seek to be either prescriptive or comprehensive. It simply offers guidance on some of the issues which most commonly arise. It is hoped, however, that the approach which it adopts will serve as a guide to dealing with other circumstances.

1.3 This Protocol is to a large extent a written statement of current practice and convention. It seeks to promote greater clarity and certainty. If the Protocol is followed, it should ensure that Members receive objective and impartial advice and that Officers are protected from accusations of bias and any undue influence from Members.

1.4 It seeks to build upon the principles underlying the Code of Conduct. The shared object of the Code is to enhance and maintain the integrity (real and perceived) of local government and the Code, therefore demands very high standards of personal conduct.

1.5 This Protocol is part of the Code of Conduct and the Employee Interests and Integrity Procedure. A breach of the provisions of this Protocol may also constitute a breach of the Code of Conduct and may constitute a breach of the Employee Interests and Integrity Procedure.

1.6 This Protocol should be read in conjunction with any guidance issued by the Monitoring Officer of Wiltshire Council.

2. THE RELATIONSHIP: GENERAL POINTS

2.1 Whilst both Councillors and Officers are servants of the public and they are indispensable to one another, the responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Councillors are responsible for setting policy. Officers are responsible to the Council. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council and its various bodies.

2.2 At the heart of this Protocol, is the importance of mutual respect. Member/Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.

2.3 Members must respect the impartiality and integrity of all the Council's Officers. Similarly, all Officers must respect the role of Members as elected representatives.

2.4 Inappropriate relationships can be inferred from language. To protect Members and Officers, all should address each other at formal meetings in a professional manner.

2.5 A Member should not raise matters relating to the conduct or capability of an Officer in a manner that is incompatible with this Protocol. An Officer has limited means of responding to criticisms in public. If a Member feels they have not been treated with proper respect, courtesy or has any concern about the conduct or capability of an Officer, they should raise the matter with the Town Clerk or the Mayor. Any action taken against an Officer in respect of a complaint, will be in accordance with the provisions of the Council's Disciplinary Rules and Procedures.

2.6 An Officer should not raise with a Member matters relating to the conduct or capability of another Officer or to the internal management of a Department in a manner that is incompatible with the overall objectives of this Protocol.



2.7 Where an officer feels that they have not been properly treated with respect and courtesy by a Member, they should raise the matter with the Town Clerk. In these circumstances the Town Clerk will take appropriate action by approaching the Member and/or Group Leader or by referring the matter to the Monitoring Officer as a complaint.

3. ROLES OF MEMBERS AND OFFICERS

3.1 Members have four main roles :

- Determining the policy of the Council and giving it political leadership
- Monitoring and reviewing the performance of the Council in implementing that policy and delivering services
- Representing the Council externally
- Acting as advocates on behalf of their constituents and the wider community

3.2 Officers have the following main roles:

- Initiating policy recommendations
- Implementing agreed policy, managing and providing the services and being accountable for the efficiency and effectiveness of the services provided
- Providing professional advice to the Council, its various bodies and individual members
- Ensuring the Council always acts in a lawful manner
- Ensuring the Town Council's finances are robust and managed correctly.

4. THE RELATIONSHIP : OFFICER SUPPORT TO MEMBERS : GENERAL POINTS

4.1 Officers are responsible for day-to-day managerial and operational decisions within the Council and will provide support to all Councillors in their various roles.

4.2 In giving such advice to Members and in preparing and presenting reports, it is the responsibility of the Officer to express their professional views and make recommendations. Members should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view because of their wish to express a contrary view.

1.3 The Town Clerk has certain statutory roles which need to be understood and respected by all Members. Members must respect these statutory obligations, must not obstruct the Town Clerk and Director of Operations and other Officers in the discharge of their responsibilities and must not victimise them for discharging their responsibilities.

4.4 The following key principles reflect the way in which Officers generally relate to Members:

- All Officers are employed by, and accountable to, the authority as a whole
- Support from Officers is needed for all of the authority's functions
- Day to day managerial and operational decisions should remain the responsibility of the Town Clerk and other Officers and
- All Officers will be provided with training and development to help them support the various Member roles effectively.

4.5 Finally, it must be remembered that Officers within the Town Council are accountable to their line manager and ultimately the Town Clerk and Director of Operations and that whilst Officers should always seek to assist a Member, they must not, in so doing, go beyond the bounds of whatever authority they have been given by their line manager or the Town Clerk.



5. RELATIONSHIPS BETWEEN MEMBERS AT COMMITTEES AND OFFICERS AT MEETINGS OF THE COUNCIL

5.1 Reports should always contain a recommendation unless the issue is clearly one where political judgement is required. They will also always include the name of the Officer. Members should raise issues with that Officer prior to the meeting if at all possible.

5.2 Chairs and Members shall give Officers the opportunity to present any report and give any advice the Officer considers it is advisable to give.

5.3 All Members shall seek the advice of the Town Clerk where they consider there is doubt about the power for a decision or where they consider a decision might be contrary to pre-determined policies of the Council.

5.4 Members and Officers should be mutually supportive in order to minimise any potential embarrassment to the Council. Criticism of Officers should be dealt with in private and, Officers must not be publicly critical of the Council or its policies.

6. THE RELATIONSHIP: OFFICER SUPPORT: MEMBER AND PARTY GROUPS

6.1 It must be recognised by all Officers and Members that in discharging their duties and responsibilities they serve the Council as a whole.

6.2 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photo-copying, transport etc.) to Members is to assist them in discharging their role as Members of the Council. Such support services must therefore only be used on Council business. They should never be used in connection with party political or campaigning activity.

7. OFFICER RELATIONSHIPS WITH PARTY GROUPS

7.1 The council recognises political groups and it is common practice for such groups to give preliminary consideration to matters of Council business in advance of consideration by the relevant Council body. Meetings between the Town Clerk and Chairs and/or group leaders will be held when appropriate albeit that they have no executive powers.

7.2 In dealings with members, in particular when giving advice to political party groups, Officers must demonstrate political impartiality and must not suppress professional advice due to political views.

7.3 Any particular cases of difficulty or uncertainty in this area of Officer advice to political party groups should be raised with the Town Clerk who will then discuss them with the relevant group leader(s).

8. MEMBERS' ACCESS TO INFORMATION AND TO COUNCIL DOCUMENTS

8.1 Members may ask for information pursuant to their legal rights. This right extends to such information, explanation and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Council. This can range from a request for general information about some aspect of a department's activities to a request for specific information on behalf of a constituent. Such approaches should normally be directed to the relevant Officer.

8.2 As regards the legal rights of Members to inspect Council documents, these are covered partly by statute and partly by the common law.

8.3 Members have a statutory right to inspect any Council document which contains material relating to any business which is to be transacted by the Council. The right applies irrespective of whether the Member is a member of the meeting concerned and extends not only to reports which are to be submitted to the meeting, but also to any relevant background papers.



8.4 The common law rights of Members remain intact, are much broader and are based on the principle that any Member has a prima facie right to inspect Council documents so far as their access to the document is reasonably necessary to enable the Member properly to perform their duties as a Member of the Council. This principle is commonly referred to as the 'need to know' principle.

8.5 The exercise of this common law right depends therefore, upon an individual Member being able to demonstrate that they have the necessary 'need to know'. In this respect a Member has no right to 'a roving commission' to go and examine documents of the Council. Mere curiosity is not sufficient. The crucial question is the determination of the 'need to know'. This question will initially be determined by the Town Clerk.

8.6 In some circumstances (e.g. a Member wishing to inspect documents relating to the business of a meeting of the Council or its bodies) a Member's 'need to know' will normally be presumed. In other circumstances (e.g. a Member wishing to inspect documents which contain personal information about third parties) the Member will normally be expected to justify the request in specific terms.

8.7 Whilst the term 'Council document' is very broad and includes for example, any document produced with Council resources, it is accepted by convention that a Member of one party group will not have a 'need to know' and therefore, a right to inspect, a document which forms part of the internal workings of another party group.

8.8 Further and more detailed advice regarding Members rights to inspect Council documents may be obtained from the Town Clerk.

8.9 Any Council information provided to a Member must only be used by Members for the purpose for which it was provided, i.e. in connection with the proper performance of the Member's duties as a Member of the Council. Therefore, for example, early drafts of Committee reports/ briefing papers are not suitable for public disclosure and should not be used other than for the purpose for which they were supplied.

9. CORRESPONDENCE

9.1 Correspondence between an individual Member and an Officer should not normally be copied (by the Officer) to any other Member. Where exceptionally it is necessary to copy the correspondence to another Member, this should be made clear to the original Member. In other words, a system of 'blind copies' should not be employed.

9.2 Official letters on behalf of the Council should normally be sent in the name of the appropriate Officer, rather than in the name of a Member. Letters which, for example, create legal obligations or give instructions on behalf of the Council should never be sent out in the name of a Member.

10. PUBLICITY AND PRESS RELEASES

10.1 Local councils are accountable to their electorate. Accountability requires local understanding by the Council explaining its objectives and policies to the electors and taxpayers. Local councils increasingly use publicity to inform the community and to encourage public participation. Every Council needs to tell the public about the services it provides. Good, effective publicity aimed to improve public awareness of a Council's activities is, in the words of the Government, to be welcomed.

10.2 Publicity is, however, a sensitive matter in any political environment because of the impact it can have. Expenditure on publicity can be significant. It is essential, therefore, to ensure that local council decisions on publicity are properly made in accordance with clear principles of good practice. The government has issued a Code of Recommended Practice on Local Authority Publicity. The Code develops the conventions that should apply to all publicity at public expense and which traditionally have applied in both central and local government. It requires that all local councils shall have regard to the provisions of any such Code in coming to any decision on publicity.



10.3 Officers and Members of the Council will, therefore, in making decisions on publicity, take account of the provisions of this Code. If in doubt, Officers and/or Members should initially seek advice from the Town Clerk. Particular care should be paid to any such publicity used by the Council around the time of an election. Particular advice will be given on this by the Town Clerk.

11. MEMBERS IN THEIR WARD ROLE AND OFFICERS

11.1 Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the Ward or Wards affected will as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Members will be notified at the outset of the exercise.

11.2 Should Members or local residents convene a local meeting, Officer attendance will be at the direction of the Council or at the discretion of the Town Clerk and will take account of the purpose of the meeting.

11.3 In all circumstances, the role of Officers at such meetings is to provide information on the topic under consideration and any decision making process which might be relevant, but not to offer or share judgements. Officers will seek to assist in the effective engagement of the community but will be mindful at all times of the integrity of the formal decision making process.

11.4 Members attending local consultation meetings, which may on occasion give rise to heated debate, should be mindful of the restrictions on the responses available to Officers and both Officers and Members should act at all times in accordance with this Code of Conduct.

12. CONCLUSION

12.1 Mutual understanding and openness on these sorts of sensitive issues and basic respect are the greatest safeguard of the integrity of the Council, its Members and Officers.

12.2 Questions of interpretation of this Protocol will be determined by the Town Clerk.

12.3 Copies of the Protocol will be issued to all Members, upon election, and all line managers.



**Bradford on Avon
Town Council**

Presented to the Resources Committee on 29th June 2021 for consideration. Which RESOLVED to RECOMMEND adoption to Full Council on 6th July 2021. Amended and RESOLVED to APPROVE by the Council on 6th July 2021.

To come into effect on 7th July 2021.

Signed Cllr S Gibson, Mayor

Signed Sandra Bartlett, Town Clerk.

Re-adopted by the Council on 6th July 2021.

Signed Cllr S Gibson, Mayor.

Signed Sandra Bartlett, Town Clerk.