



Wimborne Minster Town Council
Town Hall, 37 West Borough, Wimborne, Dorset, BH21 1LT

To Councillors of the Personnel, Policy and Strategy Committee – Cllrs S Bartlett, C Butter (Town Mayor/Chairman), C Chedgy, D March (Deputy Town Mayor/Vice Chairman), and S Wheeler.

You are hereby summoned to attend the **Personnel, Policy and Strategy Committee Meeting** on **Friday 8 July 2022 at 9.30am** at the **Committee Room in the Town Hall, 37 West Borough, Wimborne, Dorset, BH21 1LT**, for the purpose of transacting the following business as detailed on the agenda below.

A handwritten signature in black ink, appearing to read "Louise Harrison".

Louise Harrison, Town Clerk to Wimborne Minster Town Council, 4 July 2022.

Council are asked to note that in the exercise of their functions they must take note of the following: Equal Opportunities (race, gender, sexual orientation, marital status and any disability; Crime and Disorder, Health and Safety and Human Rights).

Members of the public and press are welcome to attend any of Wimborne Minster Town Council and Committee meetings. All agendas, reports and minutes can be viewed on the Council's website www.wimborne.gov.uk and requested from the Town Council offices (for contact details see address above).

Under item 3 of the agenda members of the public can ask questions of Council in relation to items on the agenda in accordance with Wimborne Minster Town Council's Standing Orders. Please notify your intention to speak either in advance of or at the meeting by emailing the Town Clerk at louise.harrison@wimborne.gov.uk. Members of the public are asked to restrict their comments, and/or questions to three minutes.

The agenda may be split into two parts – part of the meeting that is open to the public and other part for items on the agenda which may be discussed in the absence of the press or public because the agenda item for discussion includes personal, confidential, or sensitive information (Exempt Business). The press and public will be asked to leave the meeting once a resolution is passed that reflects a decision to go into Exempt Business.

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted. A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may: film, photograph or make an audio recording of a meeting; use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

Any person who may find difficulty in access to the meeting through disability is asked to advise the Town Clerk as detailed above at least 24 hours before the meeting so that every effort may be made to provide access.

Agenda

1. Apologies

To receive and consider for acceptance any apologies for absence and approve (or not) by resolution to accept and note the reason for absence. Members are requested to send apologies to the Town Clerk prior to the start of the meeting. If a Member has not attended a meeting of Council (or its committees) or has not tendered apologies which have been accepted by Council (or committee), for six consecutive months, they are disqualified.

2. Declarations of interest and dispensations

Members and officers are invited to make any declarations of interest that they may have in relation to an item on the agenda and are reminded to make any declarations at any stage during the meeting if it becomes apparent that it may be required when a particular item or issue is considered, as required by Council's Code of Conduct.

3. Public Participation

For the public or press to ask questions of the Committee on matters relating to the agenda.

4. Minutes of the Personnel, Policy and Strategy Committee meetings on 24 June 2022.

To verify the minutes of the previous meetings on 24 June (appendix 1) as a correct record and signed by the Chairman of the Committee.

5. Governance

To review Council's Standing Orders (appendix 2) and a Scheme of Delegation (appendix 3).

6. Exempt Business

(i) Staff update

To note the verbal update from the Town Clerk.

7. Date of next meeting (tbc) and close of meeting.



Wimborne Minster Town Council

Town Hall, 37 West Borough, Wimborne, Dorset, BH21 1LT

Minutes of the Personnel, Policy and Strategy Committee meeting held on **Friday 24 June at 9.30am** in the Committee Room at Wimborne Minster Town Hall, 37 West Borough, Wimborne, Dorset BH21 1LT.

Present: Councillors: S Bartlett, C Butter (Chairman), C Chedgy, D March, and S Wheeler.
Officers: L Harrison (Town Clerk).

PPS/2022/001	Apologies for absence None.
PPS/2022/002	Declarations of interest and dispensations None.
PPS/2022/003	Public Participation None.
PPS/2022/004	Minutes of the Personnel, Policy and Strategy Committee 6 May 2022 Cllr Wheeler proposed that the minutes of the Personnel, Policy and Strategy Committee held on the 6 May 2022 be agreed as a true and accurate record of proceedings and signed by the Chairman, seconded by Cllr Chedgy and agreed by all. Resolved: the minutes of the Personnel, Policy and Strategy Committee held on the 6 May 2022 were agreed as a true and accurate record of proceedings and were signed by the Chairman.
PPS/2022/005	Exempt Business Cllr March proposed to exclude the press and public in accordance with s1(2) Public Bodies (Admission of Meetings) Act 1960 on the grounds that the following agenda items being considered involved the disclosure of confidential personnel information, seconded by Cllr Bartlett and agreed by all. Resolved: the press and public were excluded in accordance with s1(2) Public Bodies (Admission of Meetings) Act 1960 on the grounds that the agenda items being considered involved the disclosure of confidential personnel information.
PPS/2022/006	Wimborne Cemetery staff update The resignation of the Cemetery Clerk was noted. Plans to manage resilience around Wimborne Cemetery were discussed. Cllr Wheeler proposed the Town Clerk was authorised to arrange a locum cemetery placement as a short-term solution while other opportunities were explored with Dorset Council with regards to the day to administration of the Cemetery and grounds upkeep on the site, conditional on other parish council involvement, seconded by Cllr Chedgy and agreed by all.

	<p>Resolved: the Town Clerk was authorised to arrange a locum cemetery placement as a short-term solution while other opportunities were explored with Dorset Council with regards to the day to administration of the Cemetery and grounds upkeep on the site, conditional on other parish council involvement.</p>
PPS/2022/007	<p>Wimborne Minster Town Council Office Staff</p> <p>The resignations of the Office Administrator and Acting Town Clerk were noted. The Town Clerk requested authority to secure a temporary member of staff to assist in the administration of Council business, undertake a staff benchmarking exercise of all office staff job descriptions based on roles and responsibilities, pay scales, a staff structure and any new role job descriptions based on Council's current and future business needs. The Town Clerk also confirmed that any recommendations would come back to the Committee for a review. Cllr March proposed to authorise the Town Clerk to secure a temporary member of staff to assist in the administration of Council business, undertake a staff benchmarking exercise of all office staff job descriptions based on roles and responsibilities, pay scales, and a staff structure based on Council's current and future business needs, seconded by Cllr Wheeler and agreed by all.</p> <p>Resolved: the Town Clerk was authorised to secure a temporary member of staff to assist in the administration of Council business, undertake a staff benchmarking exercise of all office staff job descriptions based on roles and responsibilities, pay scales, and a staff structure based on Council's current and future business needs.</p> <p>It was agreed that the Town Clerk would inform all councillors of the staff resignations as soon as possible.</p>
PPS/2022/008	<p>Overtime request from the Finance Administrator</p> <p>The overtime request of 20 hours from the Finance Administrator was considered. The Town Clerk confirmed that the Finance Administrator was undertaking a variety of responsibilities outside of her job description. Cllr Chedgy proposed to approve the overtime request of 20 hours, seconded by Cllr Wheeler and agreed by all.</p> <p>Resolved: the overtime request of 20 hours from the Finance Administrator was approved.</p>
PPS/2022/009	<p>Weddings cover</p> <p>The current arrangement for staff covering weddings at the Town Hall was discussed. Cllr Wheeler proposed that the current staff cover continue as previously agreed including cover by the exiting Committee Administrator, seconded by Cllr Chedgy and agreed by all.</p> <p>Resolved: current staff to continue as previously agreed including cover by the exiting Committee Administrator.</p>
PPS/2022/010	<p>Town Clerks probation</p> <p>It was agreed that the Town Clerk would draft a probation document and forward it to the Chairman for consideration.</p>
PPS/2022/011	<p>Governance review</p> <p>The Town Clerk requested authority to undertake a governance review of Council's policy and procedures. Cllr March proposed to authorise the</p>

	Town Clerk to undertake a governance review, seconded by Cllr Bartlett and agreed by all. Resolved: the Town Clerk was authorised to undertake a governance review of Council's policies and procedures.
PPS/2022/012	Close of meeting The next meeting of the Committee was confirmed as 8 July 2022 at 9.30am and the meeting was closed by the Chairman at 10.30am.

Signature of Chairman:

Date:

WIMBORNE MINSTER TOWN COUNCIL

STANDING ORDERS

MEETINGS

- 1 Meetings of the Town Council shall normally be held in the Council Chamber and meetings of Committees shall normally be held in the Committee Room, at the Town Hall, 37 West Borough, Wimborne Minster, Dorset.
- 2 **The Statutory Annual Meeting of the Council (a) in an election year shall be held within FOURTEEN days after the date on which the Councillors elected at that election take office and (b) in a year which is not an election year shall be held on the first convenient Tuesday in May as the Council may decide.**
- 3 **The Town Council shall in every year hold, in addition to the Annual Meeting, such other meetings (not less than three) as it may determine.**
- 4
 - a) **The Chairman of the Council may call an EXTRAORDINARY MEETING of the Town Council at any time;**
 - b) **If the Chairman of the Council refuses to call an Extraordinary Meeting of the Council after a requisition for that purpose signed by TWO Members of the Council, or if, without so refusing, the Chairman does not call an Extraordinary meeting of the Council within SEVEN days after such a requisition has been presented, then any TWO Members of the Council may forthwith 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 Members who called the meeting.**

The summons shall set out the business to be considered at the EXTRAORDINARY meeting of the Council and no other business shall be transacted.

- 5 **The Annual Town Meeting shall be held between the First of March and the First of June in every year.**

PROPER OFFICER

- 6 Where statute, regulation or order confers functions or duties on the Proper Officer of the Council, he/she shall be the Town Clerk.

The Town Clerk shall also be the Responsible Financial Officer.

QUORUM

- 7 **FIVE Members shall constitute a Quorum.**
- 8 If a Quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of a declared interest falls below the Quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman decides.

INFORMAL MEETING

- 9 Every year other than an election year the Town Council shall hold an informal meeting (chaired by the outgoing Mayor until the Mayor-elect is selected when he/she shall then take the chair for the remainder of the meeting) at least three weeks before the Annual Meeting of the Council to choose a Town Mayor elect and Deputy Town Mayor elect; to allocate seats to and agree the Chairmen elect and Vice-Chairmen elect of Committees and to agree appointments to outside bodies. Where these appointments are contested they shall be selected by the Council as a whole (that is to say by those councillors present at the informal meeting subject to Standing Order No 7) by secret ballot if necessary. The results of the Informal Meeting shall be submitted to the Annual Meeting of the Council for confirmation.

See also Standing Orders 42,43 & 44.

- 10 In an election year the informal meeting for the purposes mentioned above shall be held as soon as possible after the election.

MAYOR AND DEPUTY MAYOR ELECT

- 11 At the Informal Meeting of the Council mentioned above the voting (if any) for Town Mayor and Deputy Town Mayor Elect shall be by secret ballot.

NOMINATIONS FOR MAYOR AND DEPUTY MAYOR

- 12 Other than in an election year, the Town Clerk shall arrange for nomination papers for these appointments to be sent to all Members at least two weeks before the date of the Informal Meeting. Any completed nomination papers shall be returned to the Town Clerk by noon on the Friday before the Informal Meeting is due to take place. In an election year nomination papers shall be issued on the next day following the election unless there was no poll, in which case the papers shall be circulated as soon as possible.

VOTING

- 13 **Members shall vote by a show of hands, or, if at least two Members so request, by roll call. That is to say the Town Clerk shall record the names of Members who voted on any question so as to show whether they voted for or against it.**
- 14
- a) **Subject to (b) and (c) below the person presiding may be given an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he/she gave no original vote;**
 - b) **If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the Membership of the Chairman and Vice-Chairman until the end of their term of office he/she may not give an original vote in an election for Chairman;**
 - c) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

NOTICE OF MEETINGS

- 15 At least THREE CLEAR DAYS before a Council meeting takes place, notice of the time and place of such meeting shall be displayed in some conspicuous place within the town.**

ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Acceptance of Office in the presence of the Town Clerk, before they attend the Annual Meeting of the Council.)

- 16 At each Annual Meeting of the Council the order of business shall be:**
- a) To elect a Chairman;**
 - b) To receive the Chairman's Declaration of Acceptance of Office or, if not received, decide when it shall be received;**
 - c) To elect a Vice-Chairman;
 - d) To appoint Standing Committees;
 - e) To appoint Representatives to outside groups and bodies;
 - f) To deal with business expressly required by statute to be done.**
- 17 At every meeting of the Council, other than the Annual Meeting, the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent.** This shall be either the most recent past Mayor or if not present the longest serving Member present at the meeting.
- 18** After the first business has been completed as required by Standing Order 17, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
- a) To read and consider the Minutes; provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read;
 - b) After consideration, to approve the signature of the Minutes by the person presiding, as a correct record;
 - c) To receive and consider reports and minutes of Committees;
 - d) To dispose of business, if any, remaining from the last meeting;
 - e) To receive such communications as the person presiding may wish to lay before the Council;
 - f) To deal with business expressly required by a statute to be done;
 - g) To receive and consider reports from Officers of the Council;
 - h) To consider resolutions or recommendations which have been notified (i.e. notices of motion referred to in SO 20);

- i) Any other business specified in the summons.
- 19 A motion to vary the order of business on the grounds of urgency:
- a) May be proposed by the Chairman or by any Member and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - b) Shall be put to the vote without discussion.

MOTIONS MOVED ON NOTICE

- 20 Except as provided by these Standing Orders, no motion may be moved unless the business to which it relates has been put on the Agenda by the Town Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Town Clerk not later than the MONDAY of the week before the next meeting of the Council.
- 21 The Town Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given, unless the Member giving the notice of motion has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it.
- 22 If the subject matter of a motion comes within the province of a Committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such Committee or to such other Committee as the Council may determine for report; provided that the Chairman, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 23 Every motion shall be relevant to some question over which the Council has power or which affects its area.

MOTIONS MOVED WITHOUT NOTICE

- 24 Motions dealing with the following matters may be moved without notice:
- a) To appoint a Chairman of the meeting;
 - b) To correct the Minutes;
 - c) To approve the Minutes;
 - d) To alter the order of business;
 - e) To proceed to the next business;
 - f) To close or adjourn the debate;
 - g) To refer a matter to a Committee;
 - h) To appoint a Committee or any Members thereof;
 - i) To adopt a report;

- j) To amend a substantive motion or a recommendation from Committee;
- k) To exclude the public and press (see Standing Order No 70);
- l) To silence or eject from the meeting a Member named for misconduct (see Standing Order No 34);
- m) To give the consent of the Council where such consent is required by these Standing Orders;
- n) To suspend any Standing Order other than those in bold type which reflect mandatory statutory or legal requirements (see Standing Order No 88).

QUESTIONS

- 25 A Member may ask the Chairman of the Council or the Chairman of a Committee or the Town Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
- 26 Every question shall be put and answered without discussion.
- 27 A person to whom a question has been put may decline to answer.

RULES OF DEBATE

- 28 No discussion shall take place upon the Minutes of the previous Council meeting(s) except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 29
 - a) A motion or amendment shall not be discussed unless it has been proposed and seconded. It shall, if required by the Chairman, be reduced to writing and handed to him/her before it is further discussed or put to the meeting;
 - b) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period in the debate;
 - c) A Member shall direct his/her speech to the motion or amendment under discussion or to a personal explanation or to a point of order;
 - d) No speech by a mover of a motion shall exceed THREE minutes, and no other speech shall exceed TWO minutes except by the consent of the Council;
 - e) An amendment shall be:
 - i) to leave out words;
 - ii) to leave out words and insert or add others;
 - iii) to insert or add words;

- f) An amendment shall not have the effect of negating the motion before the Council;
- g) If an amendment be carried, the motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved;
- h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved;
- i) The mover of a motion shall have a right of reply, not exceeding ONE minute. The mover of an amendment shall have no right of reply at the end of the debate on the amendment;
- j) A Member, other than the mover of a motion, shall not, without leave of the Council, speak more than ONCE on any motion except to move an amendment or further amendment, or on an amendment, or on a point of order, or in a personal explanation, or to move a closure motion;
- k) A Member may rise to make a point of order or a personal explanation. A Member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood;
- l) A motion or amendment may be withdrawn by the proposer at any time before the vote is taken on it;
- m) When a motion is under debate no other motion shall be moved except the following:
 - i) to amend the motion;
 - ii) to proceed to the next business;
 - iii) to adjourn the debate;
 - iv) that the question now be put;
 - v) that a Member named be not further heard;
 - vi) that a Member named do leave the meeting;
 - vii) that the motion be referred to a Committee;
 - viii) to exclude the public and press;
 - ix) to adjourn the meeting.

Except as provided in S.O. 33, upon any of the motions in m) above being moved the Chairman shall immediately seek a seconder and if seconded the motion shall be put to the vote without discussion.

30 A Member shall stand when speaking unless permitted by the Chairman to sit.

- 31 a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed;
- b) Members shall address the Chairman;
- c) If two or more Members rise the Chairman shall call upon one of them to speak and the others shall resume their seats;
- d) Whenever the Chairman rises during a debate all other Members shall be seated and be silent.
- 32 Non-Members of the Council may address the Council or a Committee if invited to do so by the Chairman of the meeting.

CLOSURE

- 33 At the end of any speech a Member may without comment move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such a motion is seconded the Chairman shall put the motion but, in the case of a motion "to put the question", only if he/she is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he/she shall call upon the mover to exercise or waive his/her right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

DISORDERLY CONDUCT

- 34 a) No Member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule;
- b) If, in the opinion of the Chairman, a Member has broken the provisions of paragraph (a) of this Standing Order, the Chairman shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c) If either of the motions mentioned in paragraph (b) is disobeyed the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

- 35 The mover of a motion shall have the right to reply immediately before the motion is put to the vote. If an amendment is proposed the mover of the original motion shall be entitled to reply immediately before the amendment is put to the vote. A Member exercising his/her right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF MOTION

- 36 A Member may, with the consent of his/her seconder, reword his/her own motion/amendment.

RESCISSION OF PREVIOUS RESOLUTION

- 37 a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice whereof bears the names of at least FOUR Members of the Council, or in pursuance of a recommendation of a Committee.
- b) When a special motion has been disposed of, no similar motion may be moved within a further six months.

VOTING ON APPOINTMENTS

- 38 Where the Council is required to fill any appointment or appointments and there are more nominations than the number of positions to be filled a secret ballot shall be held to determine which councillor(s) fill(s) the position(s). If there is not an absolute majority in favour of the number of persons which need to be appointed, the name of the person having the least votes (or persons if there is an equality of lowest votes) shall be struck off the list and a fresh ballot taken, and so on until a majority of votes is given in favour of the number of person(s) required.

DISCUSSIONS AND DECISIONS AFFECTING EMPLOYEES OF THE COUNCIL

- 39 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or the Committee (as the case may be) has excluded the public and press from the meeting.

EXPENDITURE

- 40 Orders for the payment of money shall be authorised in accordance with the Council's Financial Regulations.

SEALING OF DOCUMENTS

- 41 **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.**

COMMITTEES, SUB-COMMITTEES, WORKING GROUPS AND TASK & FINISH GROUPS

- 42 The current Committee structure of the Town Council comprises the following standing Committees:
Personnel, Policy and Strategy Committee
Resources Committee
Planning & Environment Committee
Recreation & Leisure Committee

The terms of reference of and delegation to these Committees are specified in Appendix A attached.

- 43 The Council may at the Annual Meeting of the Council appoint standing Committees and may at any other time appoint such other Committees as the Council deems necessary. However, the Council:
- a) Shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting of the Council;
 - b) May at any time dissolve or alter the Membership of a Committee.
- 44 Unless the Council otherwise directs, the Personnel, Policy and Strategy Committee shall be appointed annually at the Annual Council meeting with the following Membership:
- Chairman and Vice-Chairman of the Council and Chairmen of the other standing Committees or Vice-Chairmen if the Chairmen be absent for a particular meeting.
- The Personnel, Policy and Strategy Committee shall meet when it is considered necessary for the proper governance of the Council or when a matter is referred from Council. Its Quorum shall be 3 Members.
- 45 The Chairman of the Personnel, Policy and Strategy Committee shall be the Chairman of the Council at the time unless the holder of that office in their Mayoral year declines that Chairmanship in which case the Council shall select an alternative Chairman until the next Annual Meeting of the Council.
- 46 The Chairman of the Council and Vice-Chairman of the Council shall be ex-officio Members of every other Committee with full voting rights
- 47 The Chairman of a Committee or the Town Clerk may call a special meeting of that Committee at any time.
- 48 Every Committee may appoint sub-Committees for purposes to be specified by the Committee.
- 49 The Council or any Committee may, within its remit, or if requested to do so by Council, set up a working group or task and finish group for the detailed study of any matter referred to it but such groups shall report to the body from which it was formed and shall not have power to exercise on behalf of the Council any authority nor incur expenditure without the prior authority of the Council or Committee from which it was formed. The groups shall not issue instructions to officers of the Council which in the opinion of the Town Clerk will use excessive time without the prior approval of the Council or the Committee from which it was formed. The working group or task & finish group may co-opt non-councillors to sit on the groups to assist in their deliberations and studies but only the councillors shall have voting rights. The Chairman of the working group or task & finish group shall be selected by the Committee from which it was formed.
- 50 Except where ordered by the Council, business shall not be transacted at a meeting of any Committee unless at least FOUR Members thereof are present. Except where ordered by the Council or by the Committee which

has appointed it, business shall not be transacted at a sub-Committee, working group or task & finish group unless at least THREE Members thereof are present.

- 51 All Standing Orders shall, where appropriate, apply to Committees, sub-Committees, working groups and task & finish groups, including rules of debate (except those parts relating to standing and speaking more than once) and the Standing Orders on interests of Members in contracts and other matters.
- 52 Unless otherwise provided in these Standing Orders where voting on an issue is required, Members of Committees, sub-Committees, working groups and task & finish groups shall vote (if requested by the Chairman) by show of hands. The person presiding at these meetings shall have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

- 53 All Council Members may attend any meeting of a Committee or sub-Committee and may speak with the permission of the Chairman but may not vote.
- 54 A Member who has proposed a motion which has been referred to any Committee of which he/she is not a Member, may explain his/her motion to the Committee but shall not vote.

ACCOUNTS AND FINANCIAL STATEMENTS

- 55 The financial procedures of the Council shall follow those laid down in its Financial Regulations, attached as Appendix B.
- 56 The Town Clerk shall present the Annual Statement of Account to the Council in accordance with Financial Regulations.

ANNUAL BUDGET

- 57 The Council shall set its Annual Budget and Precept for the coming financial year in accordance with Financial Regulations.

CODE OF CONDUCT

- 58 Members of the Council shall at all times observe the Council's Code of Conduct attached as Appendix C to these Standing Orders.

PECUNIARY INTERESTS AND DISPENSATIONS

- 59 **Unless he/she has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.**
- 60 **Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting for which the**

dispensation is required. A decision as to whether to grant a dispensation shall be made by the Council and that decision is final.

61 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 the date of the next ordinary election of councillors) for which the dispensation is sought; and**
- iv. an explanation as to why the dispensation is sought.**

A dispensation may be granted if having regard to all relevant circumstances any of the following apply:

- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
- ii. granting the dispensation is in the interests of persons living in the Council's area; or**
- iii. it is otherwise appropriate to grant a dispensation.**

CODE OF CONDUCT COMPLAINTS

62 Upon notification by the Unitary Council that it is dealing with a complaint that a councillor has breached the Council's code of conduct, the Proper Officer shall report this to the Council.

63 Where the notification in standing order 62 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 65.

64 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;**

65 Upon notification by the Unitary Council that a councillor has breached the Council's code of conduct, the Council shall consider what, if any,

action to take against him/her. Such action excludes disqualification or suspension from office.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- 66 a) Canvassing of Members or of any Committee, directly or indirectly for any appointments under the Council shall disqualify the candidate for such appointment. The Town Clerk shall make known the significance of this sub-paragraph of this Standing Order to every candidate;
- b) A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment but nevertheless, a Member may give written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 67 Standing Order No 66 shall apply to tenders as if the person making the tender were a candidate for an appointment.

RESTRICTIONS ON COUNCILLOR ACTIVITIES

- 68 No Member of the Council shall in the name of or on behalf of the Council:
- a) Inspect any lands or premises;
- b) Issue orders;
- c) Incur expenditure unless authorised to do so;
- d) Give instructions to staff.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- 69 **The public shall be admitted to all meetings of the Council and its Committees and sub-Committees, which may however, temporarily exclude the public and press by means of the following resolution: "that in view of the confidential nature of the business to be transacted, it is advisable in the public interest that the public and press be temporarily excluded and they are instructed to withdraw".**
- 70 Members of the public shall have a right to speak for no more than 3 minutes at meetings of the Council and its Committees, to ask questions, give evidence and to make representations. Such rights shall be exercised at Town Council meetings immediately after the Chairman opens the meeting.

At Committee meetings such rights shall be exercised either immediately after the Chairman opens the meeting or at the beginning of the item in which the member of the public has an interest. As soon as Councillors begin their deliberations on the item on which the member of the public has spoken, no member of the public shall be permitted to speak except in exceptional circumstances at the discretion of the Chairman in consultation with the Clerk of the meeting.

No written communications or representations connected with items on the agenda shall be circulated to Councillors unless they have been received by the Town Clerk and circulated at least two days in advance of the meeting.

RIGHT OF THE PUBLIC TO FILM AND RECORD MEETINGS

- 71 The photographing, recording, filming or other reporting of a meeting of the Council and its Committees (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) standing orders 72, 73 or 75 below apply.
- 72 The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or Committee meeting is not permitted unless an adult responsible for them has given permission.
- 73 Oral reporting or commentary about a Council or Committee meeting by a person who is present at the meeting is not permitted.
- 74 The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or Committee meeting at which they are entitled to be present.
- 75 If a Member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she do leave the room.

CONFIDENTIAL BUSINESS

- 76 No Member of the Council shall disclose to any person not a Member of the Council any business declared to be confidential by the Council. Failure to comply with this Standing Order will be regarded as a breach of the Code of Conduct and the Member may be reported to the Monitoring Officer.

LIAISON WITH DORSET COUNCILLORS

- 77 Every summons to attend Council meetings shall also be sent to the Councillors representing the town on Dorset Council.

CONTRACTS

- 78 The rules governing contracts and procurement procedures are laid out in the Financial Regulations attached as Appendix B.

COMPLAINTS PROCEDURE

- 79 The Council shall deal with complaints about its services and staff in accordance with the procedure set out in its Complaints Procedure attached as Appendix D.

RECORD OF ATTENDANCE and NON ATTENDANCE

- 80 The Town Clerk shall record the attendance of Members in the minutes of each Council or Committee meeting together with the names of those Members who are not present.

MEMBERS FAILURE TO ATTEND MEETINGS

- 81 If a Member fails to attend any meeting of the Council, or a Committee, or a sub-Committee, throughout a period of SIX consecutive months, then he/she shall cease to be a Member of the Council unless:
- a) The failure to attend was due to some reason within the terms of Sections 80 and 83 of the Local Government Act 1972, relating to Members of the armed forces of the Crown;
 - c) The failure to attend was due to some reason approved by the Council.

MEMBER RESIGNATIONS

- 82 Any Member may, at any time, deliver his/her written and signed resignation from office, to the Chairman of the Council, which shall have immediate effect upon receipt.

STANDING ORDERS TO BE GIVEN TO MEMBERS

- 83 A copy of these Standing Orders shall be given to each Member of the Council by the Town Clerk upon delivery to him/her of the Member's declaration of acceptance of office.

MANAGEMENT OF INFORMATION

- 84
- a) The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.
 - b) 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.
 - c) 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.
 - d) 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).

- e) 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.
- f) Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

- 85
- a) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
 - b) The Council shall have a written policy in place for responding to and managing a personal data breach.
 - 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.

DRESS CODE

- 86 When attending any formal meeting of the Council or its Committees, Members shall, as a minimum, be dressed in smart casual clothing.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 87 Any or every part of the Standing Orders except those printed in bold type may be suspended by resolution in relation to any specific item of business.
- 88 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next meeting of the Council.

Approved by Council 10 December 2019



Wimborne Minster Town Council Standing Orders

**Approved and adopted by Wimborne town Minster Town Council at Full Council on [insert date],
minute reference [insert ref].**

Standing Orders will be reviewed by Full Council annually or when there are changes to legislation, whichever is the sooner.

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1. INTRODUCTION

This is version two of Model Standing Orders 2018 (England) updated on April 2022.

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.

Additional reference: Local Government Act 1972, sch 2, para 42 (Subject to the provisions of this Act, a local authority may make standing orders for the regulation of their proceedings and business and may vary or revoke any such orders).

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.

2. 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.

See also 2x.

- 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 three minutes without the consent of the chairman of the meeting.
- u Members and member of the public addressing Council shall stand when speaking unless permitted by the Chairman to sit.
- v Members shall request to speak by a show of hands, will be invited to speak by the Chairman and address the Chairman.
- w Non-members of Council may address Council or Committee if invited to do so by the Chairman of the meeting.
- x Once a proposal has been made and seconded, the motion will be recorded as passed by a majority show of hands in favour. Abstentions and against votes will also be recorded.

3. 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.

4. 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 of a meeting does not include the day on which the notice was issued or the day of the meeting.
- 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 (Exempt Business), in accordance with s1(2) Public Bodies (Admission of Meetings) Act 1960, as extended by s100 of the Local Government Act 1972, on the grounds that an agenda item being considered involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972 (for example sensitive information relating to employees or legal privilege). 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, only 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 15 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 3 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 (five) 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 two hours.

y Meetings of the Town Council (also referred to as Full Council) shall normally take place in the Council Chamber and meetings of Committees in the Committee Room, both located at the Town Hall, 37 West Borough, Wimborne BH21 1LT.

z Every year other than an election year the Town Council shall hold an informal meeting (chaired by the outgoing Mayor until the Mayor-elect is selected when he/she shall then take the chair for the remainder of the meeting) at least three weeks before the Annual Meeting of the Council to choose a Town Mayor elect and Deputy Town Mayor elect; to allocate seats to and agree the Chairmen elect and Vice-Chairmen elect of Committees and to agree appointments to outside bodies. Where these appointments are contested they shall be selected by the Council as a whole (that is to say by those councillors present at the informal meeting subject to Standing Order No 7) by secret ballot if necessary. The results of the Informal Meeting shall be submitted to the Annual Meeting of the Council for confirmation. In an election year the informal meeting for the purposes mentioned above shall be held as soon as possible after the election. See 8c for nominations and voting procedures.

aa Voting at meetings will be by a show of hands, or, if at least two Members so request, by signed ballot (managed by the Town Clerk).

bb If a member so requires, the Town Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request may be made before or after the vote but in any event before moving on to the next business.

cc Subject to (a) and (b) below the Town Mayor may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.

a) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Town Mayor and Deputy Town Mayor until the end of their term of office he may not give an original vote in an election for Town Mayor.

b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Town Mayor.

dd After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall, if necessary, include

the following:

- (i) to read and consider the minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read;
 - (ii) after consideration to approve the signature of the minutes by the person presiding as a correct record;
 - (iii) to deal with business expressly required by statute to be done;
 - (iv) to decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct adopted by the Council which have not been received as provided by law shall be received;
 - (v) to answer questions from Councillors;
 - (vi) to receive and consider reports and minutes of committees;
 - (vii) to receive and consider resolutions or recommendations in the order in which they have been notified;
 - (viii) to authorise the sealing of documents, and
 - (ix) if necessary, to authorise the signing of orders for payment.
- ee If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded (see 4d).

5. 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 seven 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.
- e The current Committee structure of the Town Council comprises the following standard Committees:
- Personnel, Policy and Strategy
 - Resources
 - Recreation and Leisure
 - Planning and Environment
 - Wimborne Cemetery Joint Management
- The terms of reference to these Committees are specified in Council's Scheme of Delegation (including appointments).
- f The Chairman of the Council and Vice-Chairman of the Council shall be ex-officio Members of every Committee with full voting rights.
- g Except where ordered by the Council, business shall not be transacted at a meeting of any Committee unless at least four Members thereof are present. Except where ordered by the Council or by the Committee which has appointed it, business shall not be transacted at a sub-Committee, working group or task and finish group unless at least three Members thereof are present.

6. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election**

of the Chairman and Vice-Chairman (if there is one) of the Council.

- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the 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 (if there is one) 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 and including the next annual meeting of the Council.
- k. The Annual Town Council Parishioners Meeting shall be held between the first of March and first of June in every year

7. 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 seven days of having been requested to do so by five members of the committee or the sub-committee, any five members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.

8. 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 nine 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.

9. VOTING ON APPOINTMENTS, NOMINATIONS FOR MAYOR AND DEPUTY MAYPOR, AND COUNCILLOR VACANCIES

- 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.
- b When a request for a secret ballot is made during a meeting, the decision of the chairman shall be final (see Standing Order 27 d). If the chairman agrees for a secret ballot to take place in relation to voting, the Proper Officer shall administer and manage the process. When voting on appointments nominated members may be asked to vacate the meeting room by the chairman.
- c At the informal meeting of Council (see 3z) any voting for the Town Mayor and Deputy Town Mayor shall be by secret ballot. Other than in an election year, the Town Clerk shall arrange for nomination papers for these appointments to be sent to all Members at least two weeks before the date of the Informal Meeting. Any completed nomination papers shall be returned to the Town Clerk by noon on the Friday before the Informal Meeting is due to take place. In an election year, nomination papers shall be issued on the next day following the election unless there was no poll, in which case the papers shall be circulated as soon as possible.

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least seven clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the 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.

11. 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.

12. 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**

- 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.**

15. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, 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;

16. Upon notification by the County 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.

17. PROPER OFFICER

a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

b The Proper Officer shall:

- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

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

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 working 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 declarations of acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. receive and record notices disclosing pecuniary and non-pecuniary interests;
- ix. 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;

- x. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- xi. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xii. 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);
- xiii. arrange for legal deeds to be executed;
(see also standing order 23);
- xiv. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvi. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning Committee;
- xvii. keep proper records for all Council meetings;
- xviii. manage access to information about the Council via the publication scheme; and
- xix. 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).

18. 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.

19. 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.

20. 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. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

21. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of the Personnel, Policy and Strategy Committee is subject to standing order 11.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Personnel, Policy and Strategy Committee or, if he is not available, the vice-chairman of the committee (if there is one), of absence occasioned by illness or other reason and that person shall report such absence to the Personnel, Policy and Strategy Committee at its next meeting.
- c. The chairman of Personnel, Policy and Strategy Committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution of the Personnel Policy and Strategy Committee .
- d. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff shall contact the chairman of the Personnel, Policy and Strategy Committee or, in his absence, the vice-chairman of the Personnel, Policy and Strategy Committee, in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel, Policy and Strategy Committee.
- e. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chairman of the Personnel, Policy and Strategy ,Committee, this shall be communicated to the Chairman of the Council for resolution by the Full Council.

- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

22. 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.**

23. 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.**

24. 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.

25. EXECUTION AND SEALING OF LEGAL DEEDS

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

- b **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

The above is applicable to a Council without a common seal.

26. COMMUNICATING WITH COUNTY COUNCILLORS

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

27. 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.

28. 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 nine 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.
- f Every summons/agenda to attend Full Council meetings shall also be sent to the Councillors representing the town on Dorset Council.
- g The Clerk for the meeting shall record the attendance of Members in the minutes of each Council or Committee meeting, together with the names of those Members who provided apologies which were accepted by Council or Committee (including reasons given).
- h If a Member fails to attend any meeting of the Council, or a Committee, or a sub-Committee, throughout a period of six consecutive months, then he/she shall cease to be a Member of the Council unless the failure to attend was due to some reason within the terms of Sections 80 and 83 of the Local Government Act 1972 (relating to Members of the armed forces of the Crown), or due to some reason approved by the Council/Committee.
- i Any Member may, at any time, deliver his/her written and signed resignation from office, to the Chairman of the Council, which shall have immediate effect upon receipt.

- j When attending any formal meeting of the Council or its Committees, Members shall, as a minimum, be dressed in smart casual clothing.

[End]

WIMBORNE MINSTER TOWN COUNCIL

TERMS OF REFERENCE AND DELEGATION SCHEME

Approved and adopted by Council on 22 January 2021

In accordance with Section 101 of the Local Government Act 1972 the Wimborne Minster Town Council has delegated to its Committees and the Town Clerk the various matters included in this document, subject to the following:-

- a) The Committee concerned or the Town Clerk may decide not to exercise its/his delegated powers and may refer any matter to the Council for decision.
- b) Budgetary provision must be available for any expenditure proposed unless authorised by the Council.
- c) Any decision taken must not be contrary to Council policy.

COMMITTEE STRUCTURE

TOWN COUNCIL MEETINGS

Personnel, Policy and Strategy Committee

(Chairman & Vice-Chairman of the Council & 3 Committee Chairmen)

The three spending committees of the Council are as follows:

**Planning and
Environment
Committee**

**Recreation and
Leisure
Committee**

**Resources
Committee**

Chairman and Vice-Chairman
ex-officio members of all Committees with voting rights

The number of members on each committee is not fixed and may change at each Annual Meeting of the Council.

TERMS OF REFERENCE
AND SCHEME OF DELEGATION TO COMMITTEES

PERSONNEL, POLICY & STRATEGY COMMITTEE

TERMS OF REFERENCE:

Conditions of Employment and appointment of staff
All personnel matters
Council strategy
Commenting on documents not within the purview of any other Committee
Recommending changes to Council policy
Project Management

DELEGATED TO COMMITTEE

- 1 To recommend to the Council changes in the Council's establishment.
- 2 To be responsible for the appointment and conditions of service of staff.
- 3 To be responsible for all personnel matters.
- 4 To provide programme management of projects which are underway and to prioritise new projects that have been agreed in Committee or full Council to ensure adequate resources are available to implement them and to provide guidance on projects that could be delayed, behind schedule or over budget.
- 5 To recommend to the Council any changes in Council policy.

(Note: In the event that a Chairman of a Committee is not able to be present at a meeting of the Personnel, Policy & Strategy Committee the Vice-Chairman of that Committee is permitted to attend instead.

The quorum of the Personnel, Policy & Strategy Committee shall be 3 members.)

PLANNING AND ENVIRONMENT COMMITTEE

TERMS OF REFERENCE

Planning related matters.
Highway, footpath and waterways matters
Traffic management matters
Licensing
Conservation and the environment

DELEGATED TO COMMITTEE

- 1 To comment on all planning and allied applications including those related to listed buildings, advertisements and trees.
- 2 To respond on behalf of the Council to planning appeals.
- 3 To comment on behalf of the Council on traffic management and road safety proposals.

- 4 To administer on behalf of the Council the Committee's approved annual budget.
- 5 To liaise with other agencies on matters concerning roads, footpaths and waterways.
- 6 To monitor on behalf of the Council the tidiness of the town.
- 7 To be responsible for Conservation Areas issues in the town.
- 8 To liaise with statutory undertakers and local authorities on matters concerning their street furniture, signing, building structures and public seating.
- 9 To be responsible to the Council for any action in respect of conservation or environmental protection.
- 10 To comment where necessary on matters concerning Wimborne Hospital and other Health Authority responsibilities.

RECREATION AND LEISURE COMMITTEE

TERMS OF REFERENCE

The supervision and management of the Town's Recreation Grounds

Liaison with bodies of sport and recreation

Co-operation with local sports clubs

Maximisation of the use of the present recreational facilities

Active encouragement of greater sport and leisure activities for the benefit of the community

Active encouragement and promotion of the arts in Wimborne Minster

Liaison with Wimborne in Bloom and other similar organisations

DELEGATED TO COMMITTEE

- 1 To be responsible for the supervision and management of the Town Council's recreation grounds and open spaces.
- 2 To liaise with organisations and other local authorities responsible for providing sport and recreation.
- 3 To be responsible for maximising the use of the Council's recreational facilities.
- 4 To encourage an expansion of sport and leisure activities in the community.
- 5 To actively encourage the promotion of the arts in Wimborne Minster.
- 6 To administer on behalf of the Council the Committee's annual budget.
- 7 To liaise with Wimborne in Bloom and other similar organisations.

RESOURCES COMMITTEE

TERMS OF REFERENCE

Receive financial statements on the Council's accounts
The preparation of the Annual Accounts
Grants to outside bodies
Negotiating land transactions
Preparation of Leases and the monitoring of the observance of the conditions of the Leases
Insurances
Office equipment and furniture
The management and maintenance of the Council's buildings

DELEGATED TO COMMITTEE

- 1 To receive, when possible, monthly reports on the position of the Council's accounts.
- 2 To administer on behalf of the Council the Committee's approved annual budget.
- 3 To consider and determine applications for grant aid in accordance with Council policy.
- 4 To negotiate land transactions on behalf of the Council including the content of leases.
- 5 To be responsible for all of the Council's insurance matters.
- 6 To be responsible for the repair and maintenance of all the Council's built assets, fixtures, and fittings with the exception of any shelters under the control of the Recreation and Leisure Committee.

POSITION AND RESPONSIBILITIES OF THE TOWN CLERK

The Town Clerk is the Chief Executive of the Town Council and is the Proper Officer.

When it is a Statutory Requirement that this Officer be named the Proper Officer is Laurence Hewitt

He shall be the Responsible Financial Officer of the Council with the authority to manage the monies of the Council.

The Town Clerk is authorised to deal with general matters particularly when the policy of the Council is known. He should seek the advice of the Chairman of the Council if necessary.

The Town Clerk is the Manager of the Grounds staff with the authority to make day to day decisions.

In the absence of the Town Clerk, where permitted by law, these duties shall be delegated to the Assistant Town Clerk.

DELEGATED TO TOWN CLERK

- 1 To spend money under the terms set out in Financial Regulations.
- 2 To prepare for Audit of the Council's annual accounts.
- 3 To enter into contracts for the execution of works or supply of equipment as authorised by the Council or its Committees.
- 4 To appoint casual labour where necessary subject to a report being made to the Personnel, Policy & Strategy Committee as soon as practicable thereafter.
- 5 To manage the affairs of the Council on a day-to-day basis including the office and ground staff.
- 6 To fill any vacancies in the approved establishment on terms and conditions not exceeding those enjoyed by the previous holder of the post subject to consultation with the Chairman and Vice-Chairman of the Council and to all members being kept informed of progress.
- 7 In consultation with the Chairman and Vice-Chairman of Resources Committee and the Internal Auditor, to make investments on behalf of the Town Council. where, because of the need to take urgent action, there is insufficient time to seek a decision from the Committee. (Added by Resources Committee 16.02.10.)
- 8 In consultation with the Chairman and Vice-Chairman of the Planning & Environment Committee, to comment on planning applications on behalf of the Council.
9. In a national or local emergency, and in consultation with the appropriate Chairman and/or Vice-Chairman, to exercise all powers of the Council where permitted by law whilst keeping all Members informed of decisions taken under this provision.
10. To sign on behalf of the Council any document drawn up because of a decision of the Council or its Committees and not required to be under seal.



Wimborne Minster Town Council Draft Scheme of Delegation

Adopted at Full Council on [insert date], minute reference [insert reference]

This Scheme will be reviewed annually by Full Council, or when there are changes to legislation, whichever is the sooner.

This Scheme of Delegation authorises the Proper Officer and Responsible Financial Officer (which may be one and the same person), Standing Committees (and Subcommittees if relevant) of Wimborne Minster Town Council (the Council) to act with delegated authority in the specific circumstances, as advised by SLCC's model document 2019. Items in **bold** are a statutory requirement

1. Proper Officer and Responsible Financial Officer - duties and powers

1.2 Responsible Financial Officer

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

2. Proper Officer

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

- receive declarations of acceptance of office;
- receive and record notices from Councillors disclosing interests;
- receive and retain plans and documents;
- sign Notices or other documents on behalf of the Council;
- receive copies of By-laws made by Dorset Council;
- certify copies of By-laws made by the Council;
- sign and issue summonses to attend meetings of the Council;
- sign binding contracts on behalf of the Council in accordance with the Standing Orders;
- **give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
- **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office;**

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

- the day-to-day administration of Council services, together with routine inspection and control;
- day to day supervision and control of all staff employed by the Council;
- authorisation of routine expenditure within the agreed budget;
- emergency expenditure up to £3,000 outside of the agreed budget as per Council's Financial Regulations in consultation with the Chairman and Vice chairman of Council or the Chairman/Vice Chairman of the appropriate Committee if the Council Chairman/Vice Chairman is unavailable;
- authorise the making of payments on behalf of Council in line with the Council's Financial Regulations;
- authorise the procurement of services and enter into contracts for the execution of works or supply of equipment as authorised by Council or its Committees and in line with Council's Financial Regulations;
- undertake the Annual Accounting Governance and Statement process with the internal and external auditor and Council;
- as Council's Health and Safety named representative take such action as is necessary to ensure the safety and security of Council's properties and those who use them, and
- to take such action as is necessary to fulfil their duties, as governed by Council's Standing Orders.

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

2.4 In the absence of the Town Clerk/RFO, these duties shall be delegated to the Deputy Clerk.

3. Town Council

3.1 The following matters are reserved to the Town Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.

- setting the precept;
- borrowing money;
- power of incurring capital expenditure not specifically included in the Council's approved estimate of expenditure for the current budget;
- making, amending or revoking Standing Orders, Financial Regulations or this Scheme of Delegation including to delegate to the committee powers and duties in accordance with their approved Terms of Reference or to Officers.;
- making, amending or revoking by-laws;
- making of Orders under any statutory powers;
- decide matters of principle or policy;
- nomination and appointment of representatives of the Council to any other authority, organisation or body (excepting approved conferences or meetings);
- any proposed new undertakings;
- the appointment of the Town Mayor;
- prosecution or defence in a court of law;
- nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish of Wimborne, excluding those matters specific to a committee;
- approving the annual return;
- review and confirm Council's eligibility to exercise the General Power of Competence (every three years or as required due to councillor and/or Clerk changes);

- to set dates of meetings of the Council and its Committees;
- to oversee the conduct of the Council and the Committees endeavouring to act in the best interests of all residents;
- receipt of reports to the Council from various Committees, Sub-Committees and Working Parties;
- to authorise the sealing of various documents with the Common Seal;
- consideration of new and reviews of consultation and policy documents of other bodies and any other consultation documents not appropriate for delegating to Committee's;
- the appointment and dismissal of the Town Clerk/RFO role, and
- any other matters not delegated to a Committee, Sub-Committee or Project Steering Group or Working Party or referred to the Council by a Committee, Sub-Committee, or Project Steering Group or Working Party.

4. Standing Committees

Wimborne Minster Town Council has appointed a number of Committees to undertake work for and on behalf of Council. The specific responsibilities of each Committee are confirmed by Terms of Reference detailed below and confirms membership and number of seats, frequency of meetings, remit of each Committee and reporting structure, and delegated authority.

The Town Mayor and Deputy Town Mayor are ex-officio members of all Committees as per Council's Standing Orders and as such have voting rights.

All Committees are subject to the following principles:

- delegated powers are exercised in accordance with any policy or direction given by Council;
- delegated powers are subject to the Council's Standing Orders and Financial Regulations;
- any unresolved differences between Committees shall be referred to Full Council for determination;
- Committees will refer to Council any matters being pursued by other local authority/statutory/voluntary or other bodies which have a beneficial or detrimental effect on the area of Wimborne Minster parish;

4.1 *The Personnel, Policy and Strategy Committee* shall meet six times a year (bi-monthly), shall consist of five Members, have a quorum of four, and be delegated to make decisions on behalf of the Council in the following matters:

- to examine, review, implement and develop, on behalf of Council, various policies, procedures, new projects and strategies relating to Council including HR policies in consultation with staff;
- community engagement on issues linked to the purpose of this committee including partnership working;
- consider civic activities/local democracy matters;
- make resolutions to the Council regarding town twinning;
- make recommendations to Council on the annual staffing budget;
- determine staff conditions of service including salary scales, working conditions, employee assessments and evaluations and make budget recommendations to Council in October;
- consider and implement any changes which are required to comply with legislation and Terms and Conditions of Service as laid down by the National Joint Council (Green

Book) and recommended by the National Association of Local Councils and Society of Local Council Clerks;

- maintain the staffing levels necessary to efficiently discharge the work required by Council, review staffing requirements when required and make recommendations to the Council;
- review job descriptions, person specifications, staff establishment (including promotion, re-grading, redundancies and fixed term contracts) and to approve contracts of employment;
- maintain confidentiality over all staffing matters as required under the 2018 General Data Protection Regulations and the 2018 Data Protection Act as well as the Code of Conduct;
- oversee staff and Member development including identify training opportunities and ensure that all training needs are met;
- ensure adequate oversight of recruitment of other members of staff, in a manner to be determined by the Committee and Town Clerk;
- ensure hearings for Grievance, Disciplinary and Capability matters are dealt with in accordance with the Councils Grievance and Disciplinary Procedure (only reporting to Council when the time for any Appeal has passed);
- where appropriate, appoint a panel (see below – *Personnel Sub Committee*) to hear complaints made under the Council's Grievance and Disciplinary Procedure and full delegated responsibility to take whatever action necessary and if appropriate seek outside professional assistance in order to conclude a disciplinary or grievance matter;
- manage the selection process for the recruitment of the Town Clerk/RFO, and make recommendation for appointment to The Council as required including budget requirements;
- review the town Mayor's appraisal of the Town Clerk's performance;
- receive the Town Clerk's annual appraisal of staff members performance and consider the award of bonuses when appropriate and in good time for the following years budget;
- oversee the development of policies and processes with respect to Health and Safety at work and other relevant regulations;
- recommend to Council any new posts, or changes to posts including terms and conditions, which would have implications for the budget, and
- overall performance and welfare of the staff (delegating the day-to-day line management to the Town Clerk) and receive reports from the Town Clerk (e.g., sickness, leave, flexible leave requirements, OH issues, TOIL and overtime).

Wimborne Minster Town Council recognises the Transfer of Undertakings Protection of Employment regulations 2006 known as TUPE and is committed to working with accredited trade unions to promote a good working relationship with its staff.

A *Personnel Sub-committee* shall be convened to keep confidential its deliberations and decisions in cases of Grievance, Disciplinary and Capability hearings, because if an Appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case. In order to ensure as far as possible that such matters as Appraisal, Grievance, Disciplinary and Capability issues are dealt with professionally and in accordance with Employment legislation, all members of the Personnel Sub-committee must agree to undertake training in these matters. This Committee may decide that it wishes to refer such matters to the Council for final decision, subject to the matters reserved for final decision for legal reasons.

4.3 *The Resources Committee* shall meet six times a year (bi-monthly), shall consist of seven Members, have a quorum of four, and be delegated to make decisions on behalf of Council in the following matters:

- review finance policies and procedures, and make recommendations for any changes if needed;
- to consider and review the financial administration of Council business including internal controls and make recommendations to the Council (with the exception of those at paragraph 3.1 above);
- oversee the preparation of the annual budget for consideration by Council and update a 5-year forecast of income and expenditure of the Council on continuing services;
- make a recommendation to Council regarding the setting of the precept in time for its annual budget setting meeting each year;
- monitor the annual budget of the Council and report to the next Council meeting any concerns that the Council may exceed its full year total expenditure budget including a review of debtors and agree necessary action agree variances to the annual estimates where necessary;
- ensure that the annual audit occurs and the financial reports are prepared in accordance with any accounting, audit and statutory requirements;
- to consider and make recommendation to Council on the approval of the annual accounts for audit;
- to consider, review and make recommendations on the appointment of the internal auditor regularly (every three to five years) and review performance;
- to receive and approve a schedule of payments and review bank reconciliation and bank statements at a minimum quarterly;
- receive and approve changes to charges;
- review Council's Financial Risk Strategy and Assessment annually including insurance requirements;
- agree virements between approved budget headings;
- review and make recommendations to the Council on the use of General and Ear Marked Reserves;
- consider drafting, negotiating and renewing leasing/licensing agreements/terms and conditions for all Council property and land and make recommendations to the appropriate Committee or Council;
- maintain the exterior and structural fabric of all Council buildings/structures;
- obtain three quotes/tenders for any expenditure item over £2,500;
- consider the renewal of leasing/licensing agreements and make proper resolution to Council if it is not felt appropriate to continue such an agreement;
- to maintain the register of all Town Council property and ensure and maintain its registered title at the Land Registry;
- review all pricing charges associated with Council services and facilities annually as recommended by Committees;
- consider and agree Grant Aid requests in line with Council's Grant Aid Policy;
- make recommendations to Council regarding the Crime and Disorder Act 1998, following consultation with the appropriate bodies;
- make recommendations to Council regarding the prosecution or defence of any legal proceedings;
- make recommendations to Council for the use of powers to acquire by agreement, to appropriate, to dispose of land;
- make recommendations to Council for the use of its powers to promote a lottery;

- make recommendations to the Council for the use of its powers to accept gifts, including land;
- make recommendations to the Council regarding the future provision of civic regalia;
- agree the use by any other organisation of the Town Crest, and
- consider any other matter referred to the Committee by Council.

4.4 *The Recreation and Amenities Committee* shall meet six times a year (bi-monthly), shall consist of seven Members, have a quorum of four, and shall be delegated to make decisions on behalf of the Council in the following matters:

- provision, maintenance, management, marketing and service function of Council property/buildings, land, recreation areas, and street furniture and to work within the individual delegated authority budget;
- consultation with other relevant bodies with similar interests, including other Town Council committees and sub-committees, and consideration of their recommendations to encourage the use of sport and leisure activities for the benefit of the residents and visitors of Wimborne Minster parish;
- maximisation of the use of the present Council recreational facilities;
- maintenance and upkeep of all vehicles and equipment used for grounds maintenance purposes;
- monitor and undertake regular inspections of Council's land and buildings, report back to Committee, carry out improvements within budgetary provision and recommend to Council any matters outside this budgetary provision;
- consider the securing and security of all Council property and land and make recommendations to the appropriate committee or Council;
- ensure Council complies with the requirement of covenants etc. on each area;
- develop management plans for the future needs and of each area and submit to the Resources Committee an annual budget estimate of income and expenditure;
- review tree surveys for all areas and approve a schedule of recommended management work
- acceptance of tenders and supervision of contracted projects – provided expenditure is within the budgetary provision and is for areas within the scope of the committee;
- liaise with allotment holders and inspect plots regularly;
- community safety and CCTV liaison with partners including Dorset Police and Wimborne BID;
- aspects of Health and Safety that fall within the remit of the Committee and report any issues back to the Resources Committee;
- review the level of fees and charges of the Committee's functions and make recommendations to the Resources Committee;
- active encouragement and promotion of the arts in Wimborne Minster parish, and
- liaison with Wimborne in Bloom and other similar organisations.

4.5 *The Planning and Environment Committee* shall meet as required to meet consultation deadlines, shall consist of seven Members, have a quorum of four, and shall be delegated to make decisions on behalf of the Council in the following matters:

- to make responses on behalf of Wimborne Minster Town Council comment on all planning applications for licensing or development as received from the Planning Authority (Dorset Council) in and outside Wimborne Minster Town Council area (including listed building, conservation area consents, consents for advertisement displays etc) and appeals ;

- consider any request for pre-application discussions with any developer and make a response on behalf of Council;
- review planning policy and procedure make recommendations to Council to ensure that the council is able to meet any additional requirements of the planning process;
- respond to consultation documents regarding tree preservation and other matters regarding general land development;
- consider all appeals against planning refusal by Dorset Council within Wimborne Minster Town Council area and with an ability to submit comments to the Planning Inspectorate;
- respond to street naming requests;
- any other matter which may be delegated to it by Council from time to time;
- to comment on behalf of Council on Local Plans, Structure Plans, Mineral Plans, Waste Plans, Regional Plans and any other Plans or Studies as considered appropriate;
- liaise with partner agencies regarding highways, footpaths and waterways issues;
- comment on traffic management and road safety issues;
- consult with Wimborne BID and other relevant bodies with similar interests, including other town and parish councils and consideration of their recommendations;
- to monitor on behalf of Council the tidiness of the town, and
- to be responsible to Council for any action in respect of conservation and the environment.

4.6 **Draft** *Wimborne Cemetery Joint Management Committee*

This Committee has been established by separate constitution, has five Members representing Colehill Parish Council (two Member's), Wimborne Minster Town Council (two Member's) and Shapwick and Pamphill Parish Council (one Member), a quorum of three, and has the following responsibilities:

- to abide by their respective Council's Code of Conduct and Standing Orders;
- to perform the function of a burial authority for the parish Councils of Colehill, Pamphill and Shapwick, and Wimborne Minster Town Council in relation to the improvement, maintenance and management of the cemetery ground and buildings at Wimborne Cemetery;
- reviewing the level of fees and charges annually;
- maintenance and upkeep of all vehicles, plant machinery and equipment used for grounds and building maintenance purposes;
- maintain and keep safe burial registers and other appropriate records and communication;
- consider and agree an annual budget of estimated income and expenditure on continuing services and capital expenditure for the forthcoming year and 5-year forecast;
- consider all aspects of financial administration including finance policies and procedures (such as banking arrangements, investments, reserves, internal controls);
- authorise payments and review bank reconciliation and bank statements at a minimum quarterly;
- monitor the annual budget for the Committee including a review of debtors and agree necessary action agree variances to the annual estimates where necessary;
- ensure that the annual audit occurs and the financial reports are prepared in accordance with any accounting, audit and statutory requirements;
- delegated authority for the Clerk to spend £1,000 as is necessary for the proper management of the Cemetery (expenditure exceeding this amount will be authorised by the Committee);

- obtain three quotes/ tenders for any expenditure over £1,000 except for utility items, contracts, and other items authorised by the Committee;
- supervise and review the annual management plan for the site;
- all aspects of Health and Safety;
- all aspect of employment law compliance and HR management including policies and procedures, recruitment, training, changes to roles, performance and welfare matters.

5. There are no other Standing Sub-committees but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the Sub-committee is formed by means of a Minute detailing the Terms of Reference.

6. Working Groups/Parties

6.1 Working Groups/Parties may be formed by resolution of the Council or a Committee at any time. The work of such a Working Group/Party will be decided upon at the time it is formed by means of a Minute detailing the Terms of Reference. Each Working Group/Party will report back with recommendations to the Council or the Committee that formed it.

7. Delegation - Limitations

7.1 Committees and Sub Committees shall, at all times, act in accordance with the Councils Standing Orders, Financial Regulations and this Scheme of Delegation and, where applicable, any other rules, regulations, schemes, statutes, By-laws or orders made and with any directions given by the Council from time to time.

[End]