

DATCHET PARISH COUNCIL

STANDING ORDERS 2018

A copy of these Standing Orders will be given by the Clerk to each Member of the Council upon delivery to the Clerk of the Member's declaration of acceptance of office

NB. For simplicity, in these standing orders and all associated documents the words 'he' and 'his' will also be used to refer to 'she' and 'hers'

Revised 13th December 2017
(As Approved by Council on 14.05.2018)

Datchet Parish Council

Standing Orders 2018

A copy of these Standing Orders will be given by the Clerk to each member of the Council upon delivery to the Clerk of the Member's declaration of acceptance of office

N.B. For simplicity, in these Standing Orders and all associated documents the words 'he' and 'his' will also be used to refer to 'she' and 'hers'

1. Council Meetings

- 1.1 Meeting of the Council will be held at times and place appointed by the Council and named in the summons to the meeting.
- 1.2 Meetings are usually held on the 2nd Monday evening each month starting at 19:30 hrs in Datchet Village Hall, unless advertised otherwise.
- 1.3 In the event of the business of the meeting not being completed by 21:30 hrs, the meeting shall, continue by a majority votes of members present to extend the meeting, until an agreed item is discussed or the business of the meeting has been completed.
- 1.4 Any unfinished business will stand adjourned until the next ordinary meeting of the Council. Except when an Extra Ordinary meeting runs out of time and a further Extra Ordinary meeting is called to complete the business.
- 1.5 Meeting of the Council will be held as follows:
 - 1.5.1 An Annual Statutory meeting will be held during the month of May. In an election year this meeting will normally be held on the Monday next following the fourth day after the ordinary day of election of the Council.
 - 1.5.2 Not less than three other Ordinary meetings will be held in each municipal year.
 - 1.5.3 Additional Ordinary meetings will be held as decided by the Council at the Annual Statutory meeting each year.
 - 1.5.4. Further Extra Ordinary meetings may be called at any time by the Chairman as deemed necessary for effective conduct of the Council's business.
 - 1.5.5 If the Chairman does not or refuses to call an Extra Ordinary meeting of the Council within seven days of having been requested in writing to do so by two members, any two members may convene an Extra Ordinary meeting of the Council.
 - 1.5.6 The public notice giving the time, location and agenda for the meeting must be signed by the two members as well as the Proper Officer (Clerk to the Council).

- 1.5.7 No other business will be considered at the meeting.
- 1.5.8 An Annual Parish meeting will be held in April once a year where the Council will report to local residents, through the Lead Members on their activities during the past year. This is not an Ordinary meeting of the Council and no Council business will be transacted at that time.
- 1.6 Notice of time and place of meeting:
- 1.6.1 A notice of the time and place of the meeting and business to be transacted signed by the Proper Officer (Clerk to the Council) will be publicly displayed on the Parish Council notice board and on the Council website.
- 1.6.2 This notice will be displayed at least three clear days before a meeting of the Council. These days will not include the days of issue or the meeting, Sunday, the days of Christmas, Easter and bank holidays, and days appointed for the public Thanksgiving or Mourning. So, for Datchet Parish Council this will usually be Thursday, Friday and . Therefore, the notice will be posted by the end of Wednesday before each meeting.
- 1.6.3 A similar period before any meeting of the Council, a summons signed by the Proper Officer (Clerk to the Council) together with a copy of the agenda specifying the business to be transacted at the meeting and any relevant documentation will be sent by email to the usual email address of every member of the Council unless individual alternative arrangements have been made.
- 1.6.4 Members are required to attend Council meetings on a regular and prompt basis. Where absence, late arrival and /or early departure are unavoidable the member concerned shall offer an apology and an explanation for his default.
- 1.6.5 Meetings will be open to the public and the press except where the Council formally resolve to exclude them from all or part of the meeting, on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, or for other special reasons stated in the resolution and arising from the nature of the business or of the proceedings. (Part 2 meeting)
- 1.6.6 All mobile phones will be turned off or on silent setting during meetings of the Council and not used by Council members during the meeting.

2 Chair of meetings

- 2.1 The Chairman will preside at meetings. If the Chairman is absent from a meeting, the Vice-Chairman will preside.
- 2.2 If both are absent, a member chosen by vote of the members present will preside at that meeting.
- 2.3 The person presiding at a meeting of the Council will exercise all powers and duties of the Chairman in relation to the conduct of the meeting.

- 2.4 At the Annual Statutory meeting the Chairman of the Council, unless he has resigned or become disqualified, will continue in office and preside at the meeting until his successor is elected.
- 2.5 In an election year, if the current Chairman has been re-elected as a member of the Council, he will preside at the Statutory meeting using normal voting rights as Chairman until a new Chairman has been elected.
- 2.6 In an election year, if the current Chairman has not been re-elected as a member of the Council, he will preside at the statutory meeting until the new Chairman is elected. The outgoing Chairman does not have a vote in respect of the election of the new Chairman but must give a casting vote in the case of an equal number of votes cast.

3 Proper Officer

- 3.1 Where a statute, regulation or order confers functions, duties or responsibilities on the Proper Officer of the Council this will be the Clerk.

4 Quorum

- 4.1 A quorum will be five members of the Council. No business can be transacted or decision be taken at any meeting of the Council unless there is a quorum of members.
- 4.2 If a quorum is not present when the Council meets or if during a meeting of members present and not disbarred by reason of a declared personal or prejudicial interest falls below the quorum, the business not transacted at that meeting will be transacted at the next meeting or on such other day as the Chairman may determine.

5 Order of business

- 5.1 At an Annual Statutory meeting the first business will be as follows:
 - 5.1.1 In an election year the first business will be to receive such declarations of acceptance of office as are required by law, or if not then received to decide when these will be received.
 - 5.1.2 To elect a Chairman.
 - 5.1.3 In an election year, if the outgoing Chairman is retiring from the Council he will continue to be Chairman until the new Chairman has been elected by the Council. In this situation he cannot vote for the new Chairman but must give a casting vote if there are an equal number of votes.
 - 5.1.4 To receive the Chairman's declaration of acceptance of office.
 - 5.1.5 To elect a Vice-Chairman.
 - 5.1.6 To appoint Lead members and deputies to undertake responsibilities for progressing the functions of the Council.

- 5.1.7 Appointment of members to be representatives on outside bodies.
- 5.1.8 It is the responsibility of persons representing the Council on outside bodies to ensure that a report comes back to the council in time for the next meeting and are permitted only gives the views of the Council at these meetings and not their personal views. (NB. Appendix D to the Standing Orders sets out the current list of Council representation on outside bodies).
- 5.2 At all other meetings
 - 5.2.1 At any meeting other than the Annual Statutory meeting the first business will be to appoint a Chairman if the Chairman and Vice-Chairman of the Council are both absent.
 - 5.2.2 The members residing at a meeting of the Council will exercise all powers and duties of the Chairman in relation to the conduct of that meeting.
 - 5.2.3 Thereafter unless the Chairman of the meeting otherwise decides on the grounds of urgent or expediency, the order of business will be as set out in the agenda (see Appendix A - Model Agenda).

6 Rules of debate

- 6.1 When the Chairman or any member is speaking all other members will remain silent.
- 6.2 All members will direct their speech through the Chair.
- 6.3 No discussion will take place upon the minutes of the previous meeting except upon their accuracy.
- 6.4 Corrections to the minutes will be made by resolution and recorded in the minutes of the meeting at which the amendment is made.
- 6.5 A member will indicate a wish to speak by raising a hand and will not speak until called upon to do so by the Chairman. If two or more members indicate a wish to speak the Chairman will call upon one to speak, the other waiting their turn until called.
- 6.6 When speaking, members will confine their comments to the matter under discussion and avoid any irrelevance, repetition and verbosity.
- 6.7 No members at a meeting will disregard the ruling of the Chairman, wilfully obstruct the business of the meeting, or behave irregularly, offensively, improperly or in such a manner as to scandalise the council or bring it into contempt, ridicule or disrepute,
- 6.8 If in the opinion of the Chairman a member has contravened any of the provision above, the Chairman will express that opinion to the meeting.
- 6.9 Thereafter, any member may move that the member named be no longer heard, or that the member named do leave the meeting.

6.10 The motion if seconded will be put forth with and without discussion.

6.11 If they wish, members may stand to speak in order to be better heard.

7 Disturbance at meetings

7.1 Anyone whether a member of the council or the public, who disturbs the proceedings, may be required by resolution to remain silent during the present debate or to withdraw.

7.2 It is not desirable for such a resolution to be moved until the Chairman has at least once requested the offender to desist and the request has been ignored.

7.3 Mere heat or anger in discussion is not of itself a ground for excluding a member, but any interruption by the public is technically a disturbance.

7.4 Where the request by the Chairman has been disregarded, the resolution will then be put automatically and without comment by the Chairman or any member.

7.5 An offender who refuses to comply with the resolution may be removed by force, but care should be taken to use no more force than is necessary. It is usually desirable (but not legally necessary) to secure the help of the police.

8 Resolution moved on notice

8.1 No resolution can be moved unless the business to which it relates has been put on the agenda by the Clerk. A member may request for a motion to be put on the agenda by giving notice to the Clerk in writing at least three clear days before the summons to the meeting of the council.

8.2 Any member may move a resolution of a matter on the agenda when it is under debate, which should then be discussed and voted upon.

8.3 A proposal or amendment will not be discussed unless it has been proposed and seconded. It should be written down by the Clerk and read out to the council before it is discussed further or put to the meeting, and also directly before a vote is taken.

8.4 A member will direct their speech to the matter under discussion or to personal explanation or to a point of order.

8.5 A member may make a point of order or give a personal explanation. For this purpose a member will be heard forthwith. A personal explanation will be confined to clarification of some material part of a former speech that may have been misunderstood.

8.6 An amendment to a proposal can only be made to change the wording by adding or removing words.

8.7 An amendment will not have the effect of negating the motion before the council. Members can achieve this by voting against the motion.

- 8.8 If an amendment be carried, the resolution as amended will take the place of the original resolution and will become the resolution upon which any further amendment may be moved.
- 8.9 A further amendment will not be moved until the council has disposed of every amendment previously moved.
- 8.10 The mover of the resolution has a right to reply immediately before the resolution is put to the vote.
- 8.11 If an amendment is proposed the mover of the amendment is entitled to reply immediately before the amendment it put to the vote. (Right of reply)
- 8.12 A member exercising a right of reply will not introduce new matter.
- 8.13 After the right of reply has been exercised or waived, a vote will be taken without further discussion.

9 Resolution without notice

- 9.1 When a resolution is under debate no other resolution will be moved other than the following, on a 'point of order':
- 9.1.1 Amend the resolution
- 9.1.2 Proceed to the next business.
- 9.1.3 Adjourn the debate.
- 9.1.4 The resolution is referred to a working group.
- 9.1.5 The member named is not further heard.
- 9.1.6 The member named leaves the meeting.
- 9.1.7 The question is now put.
- 9.1.8 Exclude the public and press.
- 9.1.9 Adjourn the meeting.
- 9.1.10 Personal explanation.

10 Questions

- 10.1 Any members may ask the Chairman or the Clerk a question in relation to the business under discussion.
- 10.2 Any question not connected with the business under discussion will not be asked except during that part of the meeting set aside for such questions.

- 10.3 Every question will be put and answered without interruption.
- 10.4 Advance notice of a question requiring a detailed reply should be given to the Chairman or Clerk not less than three clear working days prior to the meeting at which the question is to raise. The response will be given at a time agreed between the two parties and at the next meeting of the council.
- 10.5 A person to whom a question has been put may decline to answer at the time. In this circumstance, a written or verbal reply will be provided at the next meeting of the council or if agreed by the council, directly to the member outside of the meeting by an email to all members (unless alternative arrangements have been made).

11 Points of Order

- 11.1 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation will not be discussed.
- 11.2 The extent and length of the discussion is a matter for the Chairman, who should exercise a balance between ensuring a full and relevant discussion whilst avoiding verbosity, irrelevance, receptiveness and prevarication.
- 11.3 A discussion of the council on a resolution will not be reversed or rescinded with a period of six months from the date of the council except either by special resolution bearing the names of at least five members of the council, or by a resolution moved following a report or recommendation of a working group.

12 Closure

- 12.1 At the end of any speech a member may, Without comment, move that (i) the question be now put, (ii) the debate be now adjourned, (iii) the council do now adjourn.
- 12.2 If such motion is seconded, the Chairman will put the motion but in the case of a motion 'to put the question', only if the Chairman is of the opinion that the question before the council has been sufficiently debated.
- 12.3 If the motion 'that the question is now put' is carried, the Chairman will call the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived.
- 12.4 The adjournment of a debate or of the council will not prejudice the mover's right of reply at the resumption.

13 Voting

- 13.1 Members will vote by a show of hands or, if the majority of members present so request before the ballot, by a secret ballot on paper.
- 13.2 The Chairman may give an original vote on any matter put to the vote and, in the case of an equality of votes may give a casting vote.

- 13.3 Where more than two members have been nominated for any position to be filled by the council and of the votes given there is not an absolute majority in favour of one member, the name of the members having the least number of votes will be struck off the list and a new vote will be taken until such time as a majority of votes is given in favour of one member.
- 13.4 If a member so requires, except in a secret ballot, the Clerk will record the names of the members who voted on a given motion so as to show whether they voted for or against the motion or abstained.
- 13.5 Once the results of a secret vote have been recorded the secret ballot papers will be destroyed at the end of the meeting by the Clerk.

14 Members' conduct

- 14.1 All members must at all times comply with these standing orders and with the current code of conduct.
- 14.2 In public situations, council members must not behave or speak in a manner so as to bring the council into disrepute.
- 14.3 Similarly, in day to day life it is important that council members do not give the impression that they are speaking on behalf of the council, particularly if they are expressing, or could be perceived to be expressing their own personal views.
- 14.4 This is especially important when dealing with members of the press who are skilled at obtaining information during conversations and may report it in such a way as to support their own views and stories.
- 14.5 The press officers for the council are the Clerk and the Chairman, and all communications with the press and others media will go through them.
- 14.6 If a candidate for any appointment (i.e. employment) under the council is to their knowledge related to any council member, or the holder of any office under the council, they and the person to whom they are related shall disclose the relationship in writing to the Clerk, who will report to the council any such discloser.
- 14.7 A candidate who fails so to do will be disqualified for such appointment and if already appointed may be dismissed without notice.
- 14.8 The Clerk will make known the purpose of this standing order to every candidate.
- 14.9 In the case of the council employees or those seeking appointment (employment) by the council, no member of the council will solicit for any person any appointment or promotion under the council or recommend any person for such appointment or promotion. Nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for consideration by the council in considering an application for appointment or promotion.

15 Members of the public and press in council meetings

- 15.1 Meetings will be open to the public and the press unless it is deemed necessary to exclude them for reasons stated. (Section 1.6.5 above)
- 15.2 Provision will be provided for members of the press and public to have access to agendas and other relevant documents prior to meetings.
- 15.3 Members of the public have no rights to speak at a council meeting unless the council authorises this.
- 15.4 When a member of the council is speaking, everyone else present will remain silent.
- 15.5 A member of the Borough Council has no special rights above those of any other member of the public.
- 15.6 Members of the public may speak during Public Questions at the beginning of the meeting and also during the consideration of individual planning application, when so permitted by the Chairman.
- 15.7 Public questions time on the agenda is only for questions with answers to be given, and is not the opportunity for members of the public to engage in debate with members of the council or with each other.
- 15.8 The length of time for public questions at the beginning and end of the meeting is limited to 15 minutes only in total to enable the business on the agenda to be completed in a timely manner, unless the Chairman exercises discretion otherwise.
- 15.9 As with councillors and at appropriate times, members of the public should indicate a wish to speak by raising a hand and not speak until called upon to do so by the Chairman.
- 15.10 When the Chairman, any member of the council or of the public speaking everyone present will remain silent.
- 15.11 If a member of the public continuously interrupts the proceeding of any meeting the Chairman may, after giving a warning, order that they leave or be removed from the meeting.
- 15.12 A local council is entitled to control disorderly conduct by members of the public and the council. The council is justified in requiring a disruptive person to leave a meeting, and if necessary, to use a reasonable amount of force to removed such a person.
- 15.13 In these situations it is advisable, though not essential, to enlist the help of the Police.

16 Council documents

All council documents are in the public domain unless the council has agreed that specific documents should be confidential. Employee files are a specific example.

16.1 Minutes

- 16.1.1 Minutes of the proceedings of every council meeting are too kept by the Clerk in a book or in a loose leaf file with consecutively numbered pages.
- 16.1.2 Draft minutes will be sent by email (or by previous individual arrangements) to all members within seven working days of the meeting (the Clerk only works 3 days a week), for members to reply within five days with any inaccuracies. After this period they can be made available to the public with the note that they are in draft form until they have been approved and signed at the next meeting of the council and therefore may be subject changes.
- 16.1.3 A final copy of the unapproved version will be sent to all members prior to the meeting along with any other documents for that meeting as is necessary.
- 16.1.4 The names of members present at any council meeting must be recorded.
- 16.1.5 Minutes will be short and in general terms record only proposals and resolutions and not the debates that preceded them.
- 16.1.6 The council minutes must be signed at the same time or at the next ensuing meeting of the council by the presiding Chairman. If a loose leaf file is used, each page should be initialled by the Chairman when the minutes are signed.
- 16.1.7 The minutes of the Annual Statutory meeting will be agreed at the next ordinary meeting of the council and then simply noted at the Annual Statutory meeting for the following year to ensure an accurate record of business transacted.

16.2 Other council documents

- 16.2.1 All documents relating to the business of the council will be held in safe keeping by the Clerk or such third parties as may be duly approved by the council.
- 16.2.2 All formal correspondence for or on behalf of the council will be directed through the Clerk.
- 16.2.3 Any member may for the purpose of their council duties inspect any document in the possession of the council and will on request to the Clerk be provided with a copy.

17 Confidentiality

- 17.1 In the course of their duties, members of council will acquire information that has not yet been made public and is still confidential. All such documentation will be marked to indicate that they are confidential.

- 17.2 It is a betrayal of trust to breach such confidences, and members should never disclose or use confidential information for the personal advantage of themselves or of anyone known to them, or to the disadvantage or discredit of the council or anyone else, or for any other reason.
- 17.3 No members of the council or any working group will disclose to any person not a member of the council any business declared to be confidential by the council or a working group as the case may be.
- 17.4 This applies to spoken information, but in particular to written information such as documents in process of being developed and / or awaiting finalisation by the council.
- 17.5 A member breaching any of these Standing orders will be removed from any of its working groups.
- 17.6 In a 'Part 2' section of a meeting only the subject of the topic to be debated will be published in the agenda with the summons to the meeting.
- 17.7 In such a meeting the outcome and any decisions made will be reported in the minutes of that meeting. The proceedings and debate will remain confidential unless the council decides otherwise.

18 Lead members

- 18.1 The council will at the Annual Statutory meeting appoint one or more lead member and deputies to undertake responsibilities for such key areas as the council may find necessary for the conduct of its business.
- 18.2 The terms of reference and authorities for each lead member shall be determined by the council, and are set out in appendix C to these standing orders.
- 18.3 The council may at any time appoint further lead members with such terms of reference as may be deemed necessary from time to time.
- 18.4 The council will not appoint any lead member or deputy as to hold office later than the next Annual Statutory meeting.

19 Working groups

- 19.1 The council may appoint one or more working groups for purposes specified by the Chairman in pursuance of the responsibilities and business of the council.
- 19.2 These will include the relevant lead members and generally have no more than five members to facilitate effective working and decision- making in order to report recommendations to council.
- 19.3 Members of any working group will comprise of individuals having relevant knowledge or experience. These will always consist of members of the council who will form a majority of the group.

- 19.4 In addition members of the public with specialist knowledge may be co-opted as and when required, although council members will always be a majority of the group.
- 19.5 The council and the Clerk will be kept informed regarding the activities and progress of all such working groups.
- 19.6 Meetings of working groups will not be at set times, but will be arranged by the leaders of those groups at times and places appropriate for the work they are undertaking. Notes of decisions made in these meetings will be completed by the group for reporting back to the council along with any recommendations.

20 Planning applications

- 20.1 The Clerk will download from the Royal Borough website and record all information regarding notifications of planning applications with the parish.
- 20.2 The Clerk will refer every planning application to the responsible lead member at least three clear working days before the next council meeting.

21 Liaison with Borough councillors

- 21.1 A notice of council meetings together with an invitation to attend shall be sent to each of the borough councillors representing the Datchet ward.
- 21.2 Unless the council otherwise resolves, a copy of every letter ordered to be sent on behalf of the council to the Borough council will be sent to each of the borough councillors representing the Datchet ward.

22 Employees of the council

- 22.1 All employees of the council will have a formal contract of employment in compliance with current United Kingdom statutory requirement.
- 22.2 If at a meeting of the council there arises any matter relating to the appointment, conduct promotion, dismissal, emoluments or conditions of service of any employee of the council, such matters will not be considered until, the public are present have been excluded (part 2).
- 22.3 Terms and conditions of council employees will be set in line with national employment agreements for local government employees.

23 Complaints

- 23.1 The council will deal with complaints alleging maladministration or misconduct on the part of the council and any of its members in accordance with the current code of conduct.
- 23.2 In the case of a complaint about any action or behaviour by a member of the council, including the chairman, where the code of conduct has been breached, this shall be referred to the Monitoring Officer at RBWM. Where the code of conduct has not been

breached the council will deal with complaints through the Clerk, Chairman and/or Vice-Chairman or a nominated councillor.

- 23.3 In the case of a complaint about any action or behaviour by an officer or employee of the council, or about any individual working on behalf of the council, the person should first be approached by the Clerk and/or Chairman or Vice-Chairman in person for an explanation of the alleged behaviour or action.
- 23.4 Except as provided in 23.5 below, the clerk or the chairman shall use their best endeavours to settle the matter in 23.3 above, directly with the complainant.
- 23.5 Where the clerk receives a written complaint concerning their own actions, the complaint will be referred forthwith to the next meeting of the council.
- 23.6 In the event of any complaint made orally to a member or the clerk which cannot be satisfactorily resolved at the time, the complainant will be advised to put their complaint in writing addressed to the clerk, the chairman, or the Monitoring Officer depending on who the complaint is about.
- 23.7 The Council will defer dealing with any written complaint only if it is of the opinion that issues of law or practice arise on which advice is necessary from the Monitoring Office, NALC or the council's solicitors. Such a complaint will be dealt with at the next Council meeting after the advice has been received.
- 23.8 As soon as possible after a decision on a complaint has been made, the decision and any action to be taken by the council as a result, will be communicated in writing to the complainant either by the clerk, the chairman, or the Monitoring Officer.
- 23.9 If it is decided to take the matter to Council it should first be dealt with in a Part II meeting so as not to compromise the confidentiality of any persons involved.
- 23.10 The minutes to this part of the meeting will be recorded in such a manner as to avoid compromising the confidentiality of any individual.

24 Changes to standing orders

- 24.1 Any part of these standing orders may be temporarily suspended by resolution of the council in relation to any specific item of the council business in so far as it is legal to do so, with exception of matters relating to the following:
 - 24.1.1 Declaration of members' interests
 - 24.1.2 Voting procedures
 - 24.1.3 Payment of money
 - 24.1.4 Members' conduct
- 24.2 Subject to the requirements of the law, any other part of these standing orders may be permanently revised, varied, amended or revoked by resolution properly proposed and seconded and duly adopted by the council.
- 24.3 These standing orders should be reviews every year and any appropriate changes made by resolution of the council.

25 Financial affairs

- 25.1 The financial affairs of the council will be conducted in accordance with current statutory requirements, these standing orders, and the regulations set out in appendix B - Financial Regulations.
- 25.2 In all its activities having financial implications the council will seek to achieve best value.
- 25.3 The responsible financial officer will be responsible for keeping and balancing the accounts of the council in a proper manner and reporting back to the council at regular intervals as determined by the council.

Appendix A

Model Agenda

1. Apologies and Announcements.
2. Public Question Time (Limited to 10 minutes unless directed by the Chairman) (A member of the public shall not speak for more than 2 minutes)
3. Code of Conduct (to receive any Declarations of interest)
4. Minutes of previous meeting of the Council (for accuracy only)
5. Matter arising from the above minutes (for update only - no further discussion)
6. To conclude business, if any from previous meeting.
7. Correspondence (only significant items)
8. Notice of any items required for the next Council meeting for full discussion.
9. Planning to hear recommendations from the Lead of Planning, (all plans to be inspected by council members prior to meeting and questions to Lead member prior to the meeting) any reports also need to be given to the Clerk for circulation 7 days prior to the Council meeting)
10. Finance and Administration to hear recommendations from the Lead of Finance and Administration (Pink & Green sheets) (any reports also need to be given to the Clerk for circulation 7 days prior to the Council meeting)
11. Properties to hear recommendations from the Lead of Properties (any reports also need to be given to the Clerk for circulation 7 days prior to the Council meeting)
12. Grounds to hear recommendations from the Lead of Grounds (any reports also need to be given to the Clerk for circulation 7 days prior to the Council meeting)
13. Highway and General Purposes to hear recommendations from the Lead of Highway and General Purposes (any reports also need to be given to the Clerk for circulation 7 days prior to the Council meeting)
14. Flooding and Drainage to hear recommendations Grounds (any reports also need to be given to the Clerk for circulation 7 days prior to the Council meeting)
15. General Chairman's Report
16. Clerk's Report
17. Councillors' Question or Comments

18. Public questions (only to clarification relating to matter discussed on the agenda (Limited to 10 minutes unless directed by the Chairman) (A member of the public shall not speak for more than 2 minutes)

Appendix B

Financial Regulations

1 General

- 1.1 These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council.
- 1.2 The Council is responsible in law for ensuring that its financial management is adequate and effective and that it has a sound system of financial control that facilitates the effective exercise of the Council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption.
- 1.3 These financial regulations are designed to demonstrate how the Council meets these responsibilities.
- 1.4 The Clerk will act as Responsible Financial Officer (RFO) for this Council and these regulations will apply accordingly.
- 1.5 The RFP, acting under the policy direction of the Council, will administer the Council's financial affairs in accordance with proper practices within Local Government regulations.
- 1.6 The RFO in discussion with the Lead Member for Finance, will determine on behalf of the Council its accounting control systems and records.
- 1.7 The RFO will ensure that these systems are observed and that the accounting records of the Council are maintained and kept up to date in accordance with proper Local Government practices.
- 1.8 Financial information will be produced on a monthly basis to relevant Lead Members information. A full report will be presented to Council on a quarterly basis, and further information as required by the Council.
- 1.9 At least once a year, prior to approving the annual return, the Council will conduct a review of the effectiveness of its system of internal control that is in accordance with proper Local Government practices.
- 1.10 In these financial regulations, references to the Accounts and Audit Regulations will mean the Regulations issued under the provisions of the current Audit Commission Act.
- 1.11 In these financial regulations the term 'proper practice' or 'proper Local Government practices' refers to guidance issued in 'Governance and Accountability in local Council in England and Wales - a Practitioners' Guide' which is published jointly by the National Association of Local Councils (NALC) and the Society of Local Councils Clerks (SLCC).

2 Annual Estimates (Budget) and Forward Planning.

- 2.1 In October of each year Lead Members will review their current estimates against works carried out and works proposed up to year end.
- 2.2 Estimates of all receipts and payments including the use of reserves and all anticipated sources of funding for the coming year will be prepared each year by the RFO in the form of estimated budget.
- 2.3 No later than the end of December each Lead Member in conjunction with the RFO will agree estimated budgets within his area of activity in respect of the following financial year.
- 2.4 The Council will receive these in line with the Borough timescales each year.
- 2.5 The Lead Member for Finance will review the suggested figures and present them at the Council meeting in January / February with a recommendation of the precept for the following financial year.
- 2.6 Following the resolution by the Council of the proposed precept demand, the RFO will issue the precept to the Borough as billing authority and supply each member with a copy.
- 2.7 The annual estimated budgets will form basis of financial control for the ensuing year.
- 2.8 The Council will have regard to a rolling four-year forecast of projects (wish list) which will be prepared at the same time as the estimated budgets and reviewed annually.

3 Income

- 3.1 The collection of all sums due to the Council is the responsibility of and under supervision of the RFO.
- 3.2 Details of all charges to be made for work done, services rendered or goods supplied will be agreed annually by the Council and notified to the RFO who will be responsible for the collection of all accounts due to the Council.
- 3.3 The Council will review all fees and charges annually, following a report of the RFO or relevant Lead Member.
- 3.4 Any sums found to be irrecoverable and any bad debts will be reported to the Council and will be written off in the year, unless the Council resolves otherwise.
- 3.5 All sums received in behalf of the Council will be banked as soon as practically possible and entered on a numbered paying in slip.
- 3.6 The RFO will promptly complete any VAT claims that is required, at least quarterly.

4 Loan and Investments

- 4.1 All loans and any investments will be negotiated in the name of the Council and will be for a set period in accordance with Council policy.
- 4.2 All borrowing will be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval will be approved by Council as to terms and purpose. The terms and conditions of borrowing will be reviewed as required.

5 Financial Management and Control

5.1 Expenditure

- 5.1.1 The approved budget will be available for use by the respective Lead Members from 1st April each year.
- 5.1.2 Any individual item of expenditure of less than £3000 can be ordered by a Lead Member on his own authority and reported to Council at the next Council meeting update.
- 5.1.3 All individual items of expenditure of more than £3000 and less than £5000 will require at least two written quotations and may be authorised by the Lead Member concerned in conjunction with the RFO and the Lead Member of Finance. This will be reported to Council at the next Council meeting.
- 5.1.4 Individual item of expenditure of more than £5000 but less than £25,000 will require a minimum of three written quotations which will be presented to Council by the Lead Member for recommendation and approval.
- 5.15 Where a contract has an estimated value of more than £25,000 it shall be procured on the basis of a formal tender as summarised below.
- 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 manner that is appropriate;
 - iv. tenders are to be submitted in writing by email or 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 at a meeting of the council.

- vii. Details of the contract to be advertised on the Governments Contract Finder Web site in accordance with the Public Contract Regulations 2015
- 5.1.6 In the event that less than the stipulated number of competitive quotations can be obtained the Council may elect to waive this requirement. (5.3.1)
- 5.1.7 Emergency expenditure may be made on the authority of the Lead Member concerned in agreement with the RFO, and the Chairman and/or the Lead Member of Finance. Any such expenditure will be notified to Council as soon as reasonably practicable and subsequent appropriate financial adjustments made.
- 5.1.8 The Council will not donate money to outside charities.

5.2 Orders for work, Goods and Services.

- 5.2.1 An official numbered and logged purchase order will be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders will be recorded and retained by the RFO for audit proposes.

5.3 Contracts (Commissioning Agreements)

- 5.3.1 Every contract will comply with these financial regulations, and no exceptions will be made otherwise than in an emergency (as in 5.1.7.), provided that these regulations do not apply to contracts which relate to items (i) to (vi) below, unless in the case of awarding a new contract/agreement which should then be approved by the Council.
 - (i) for the supply of gas, electricity, water and telephone services;
 - (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.
 - (iii) for additional work by the internal or external auditors in response to queries from any resident.
 - (iv) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - (v) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

5.4 Contract for the Council to carry out works and services for outside bodies.

- 5.4.1 If the Council receives a request to carry out work from an outside body or organisation, following discussion and negotiation a written specification of work required will be provided by the customer and presented to the Clerk and relevant Lead Member for the agreement.
- 5.4.2 The RFO with the Lead member will assess the work as specified and they will produce a costed estimate which will be sent to the customer.
- 5.4.3 If the terms are agreed, a written contract for the work will be signed by both parties.

- 5.4.4 If any changes become necessary during the work, further agreements will be confirmed between the two parties, either by letter or email.
 - 5.4.5 When the work is completed to the satisfaction of the customer an invoice will be presented to the customer and paid in the usual manner.
 - 5.4.6 In the case of works that are on-going invoices will be presented and settled on a monthly basis.
 - 5.4.7 An accurate record will be kept of any incidental activities required and carried out in association of these contracts.
 - 5.4.8 All works carried out under these conditions will be subject to an on-cost to cover expenses incurred by the Council in carrying out the work. This will be negotiated at the time the contract is drawn up.
 - 5.4.9 All communications in these matters will be in a secure manner sent by email and confirmed in writing directly between the customer and Parish Council Officers, sent by email or in writing.
- 5.5 Payment of Accounts**
- 5.5.1 All invoices will be examined, verified and certified by the RFO. The RFO will satisfy himself that the goods, work or services to which the invoice have been received, carried out, examined and approved by the appropriate Lead Member.
 - 5.5.2 The RFO will examine invoices in relation to arithmetic accuracy and will allocate them to the appropriate expenditure code.
 - 5.5.3 Each invoice will be examined and authorised by the appropriate Lead member on the 'yellow slip'.
 - 5.5.4 A schedule of the payments 'pink slip' will be prepared by the RFO and presented to Council at the next meeting.
 - 5.5.5 If the schedule is in order it will be proposed, seconded and authorised by a resolution of the Council.
 - 5.5.6 When payment has been authorised by Council cheques drawn on the Council's bank account will be signed by two authorised signatory members of the Council and countersigned by the RFO.
 - 5.5.7 All payments will be effected by cheque or other order drawn on the Council's bankers. Payments by bank transfer (BACS) with regard to salaries and some invoices can also be made once they are approved by Council.
 - 5.5.8 If it is essential and thought appropriate by the Council, payment for utility suppliers (energy, telephone and water) may be made by variable Direct Debit provided that the instructions are signed by two members and the RFO.

- 5.5.9 All invoices received by month end prior to the scheduled meeting should be listed on the schedule of payments 'pink sheet' for approval of the Council at the next meeting.
- 5.5.10 The Council will not maintain any form of Petty Cash account.

5.6 Payment of Salaries

- 5.6.1 As an employer, the Council will make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance and any other relevant legislation.
- 5.6.2 Salaries will be agreed by Council in accordance with national pay scales as recommended by the National Association of Local Councils (NALC) and the Society of Local Clerks (SLCC).
- 5.6.3 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions in line with current legislation will be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next Council meeting the 'pink sheet'.

5.7 Expenses

- 5.7.1 Expenses properly incurred by an officer, member or worker contracted to the Council may and indeed must at common law be defrayed by the Council because they have been incurred on the Council's behalf.
- 5.7.2 All expenditure will be authorised by the relevant Lead Member or the Clerk in line with agreed expenditure levels.
- 5.7.3 The relevant claim form must be completed, signed by the claimant and submitted to the Clerk.
- 5.7.4 All receipts must be kept and stapled to the claim form when it is submitted.
- 5.7.5 The payment will be authorised by the relevant Lead Member, checked and signed by the Clerk and two other authorised signatures and entered on the 'pink sheet' for authorisation by Council as in 5.5 in the Financial Regulations.
- 5.7.6 Corporate trade cards or accounts with local suppliers will be restricted for use by the Clerk and Lead Members.
- 5.7.7 Mileage and subsistence claims for journeys made on Council business will be refunded at the current Local Government rate.

6 Account and Audit

- 6.1 All accounting procedures and financial records of the Council will be determined by the RFO following discussion with the Lead Member Finance and in accordance with Local Authority Accounts and Audit Regulations. (See 1.6)

- 6.2 The RFO will ensure that there is an adequate and effective system of internal audit of the Council's financial, accounting and other operations in accordance with proper Local Government practices.
- 6.3 The Council will appoint an Internal Auditor to carry out the work in relation to internal controls required by the Council in accordance with proper Local Government practices.
- 6.4 The Internal Auditor will be qualified and independent of the operations of the Council. In order to demonstrate independence and objectivity, the Independent Auditor will be free from any conflicts of interest and have no involvement in the Council
- 6.5 The Internal Auditor will report to the Council in writing on a regular basis with a minimum of one written report in each financial year.
- 6.6 The RFO will complete the annual financial statements of the Council including the Council's annual return, and submit them to the appointed Internal Auditor as soon as practicable after the end of the financial year.
- 6.7 The report from the Internal Auditor along with his proposed comments and responses from the RFO will be presented to the Council for authorisation at the next Council meeting.
- 6.8 The RFO will arrange the opportunity for members of the public to inspect the accounts, books and vouchers and for the display and publication of any notices and statements of account required by the Audit Commissions Act and the Accounts and Audit Regulations. (External Audit)
- 6.9 The RFO will as soon as practicable, bring to the attention of all members any correspondence or report from the Internal or External Auditor.

7 Risk Management

- 7.1 The Council is responsible for putting arrangements for the management of risk.
- 7.2 Then RFO will prepare, for approval by the Council, appropriate risk management policy statements in respect of all activities of the Council.
- 7.3 Risk policy statements and consequential risk managements will be reviewed by the Council at least annually.
- 7.4 The RFO will be notified of any loss, liability or damage of any event likely to lead to a claim, and will report these to the Council at the next meeting.
- 7.5 The RFO will maintain an accurate and up to date asset register.

8 Insurance

- 8.1 Following the annual risk assessment as above, the RFO will effect all insurances and negotiate all claims on behalf of the Council.
- 8.2 The RFO will assess all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 8.3 The RFO will keep a record of all insurances effected by the Council and the property and risks covered thereby and review it annually.
- 8.4 The RFO will be notified of any loss, liability or damage or of any event likely to lead to claim, and will report these to Council at the next available meeting. Members also have the responsibility to report any such matters to the RFO as they become aware of them.
- 8.5 All members, employees and contractors of the Council will be included in a suitable guarantee insurance which will cover the maximum risk exposure as determined by the Council.

9 Charities

- 9.1 Where the Council is sole managing trustees of a charitable body the RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission.
- 9.2 The RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

10 Revision of Financial Regulations

- 10.1 It is the duty of the Council to review the Financial Regulations of the Council from time to time, as least every two years.
- 10.2 The RFO will make arrangements to monitor changes in legislation or proper practices and will advise the Council of any required for a subsequent amendment to the Financial Regulations.

APPENDIX C

LEAD MEMBERS - TERMS OF REFERENCE

1. GENERAL

- 1.1 Lead Members of the Council will undertake responsibility for particular areas of the Council's business as specified below:
- 1.2 Each Lead Member or their deputy will report on all relevant matters to the Council at its meetings and as may otherwise be required by the Chairman.
- 1.3 Each Lead Member will work with the RFO to produce an outline financial forecast by November of each year covering the areas for which he is responsible, to be used in the preparation of the Precept to be levied for the following year.

2. FINANCE

- 2.1 The Lead Member for Finance will be responsible for overseeing and monitoring the financial affairs of the Council, in conjunction with the RFO.
- 2.2 At each Council meeting the Lead Member for Finance will present the list of payments (pink sheet) to Council and answer any relevant questions.
- 2.3 Once Council has so resolved the Clerk will arrange to settle these accounts in a timely manner.
- 2.4 In October of each year the Lead Member for Finance will present to the Council the financial forecasts as prepared by the RFO and propose a recommendation to Members for the Precept to be levied for the forthcoming financial year.
- 2.5 The Lead Member for Finance will seek a resolution from the Council to authorise the RFO to inform the Borough of the Precept to be levied from residents.
- 2.6 The Lead Member for Finance will be responsible for advising and informing the Council on matters relating to finance.

3. PROPERTIES

- 3.1 The Lead Member for Properties will be responsible for the proper development, maintenance and repair of properties owned or leased by the Parish Council. An up to date list of these properties will be kept by the Clerk in the Parish Office.
- 3.2 The Lead Member for Properties will be responsible for recommending to the Council the terms on which the parish council's lands and/or properties should be acquired, let, leased or sold.
- 3.3 The Lead Member for Properties will be responsible for ensuring that all documents relating to Parish Council properties are secured with the Proper Officer or other delegated body.

4. GROUNDS

- 4.1 The lead member for Grounds will be responsible for overseeing matters relating to the day to day management, administration, cleanliness, maintenance and development of grounds owned or leased by the council or for which the council has undertaken responsibility. A list of these grounds will be held in the parish office by the Clerk.
- 4.2 The Lead Member for Grounds will be responsible for overseeing records and management of burials within the Datchet Cemetery as managed by the Clerk.
- 4.3 All records relating to burials including internments, sales, ownership and exact location of plots will be kept in a secure place in the Parish Office in the care of the Proper Officer.
- 4.4 The Lead Member for Grounds will be responsible for keeping under review the Bylaws relating to those grounds for which the Council is responsible, and for ensuring that appropriate notices are displayed accordingly.

5. PLANNING

- 5.1 The Lead Member for Planning will be responsible for reviewing and making recommendations to the Council on planning applications received.
- 5.2 The Lead Member will keep under review the framework for planning policy within the Parish and also within the wider area, and make recommendations to the Council accordingly.

6. HIGHWAYS AND GENERAL PURPOSES

- 6.1 The Lead Member for Highways and General Purposes will be responsible for all matters relating to highways, roads, public footpaths, public transport, traffic and parking within the Parish of Datchet.
- 6.2 The Lead Member for Highways will be the link between the Parish Council and Royal Borough Officers in matters relating to highways and street care in order to represent the interests of parishioners in these matters to the Borough.
- 6.3 The Lead Member for Highways and General Purposes will be responsible for such other matters not specifically included as a responsibility of any other topic team, as may be directed by the Chairman and/or the Council.

-----END-----