

Emails for January 2021 meeting

To Member Councils in Northamptonshire:

[Please read and circulate to all councillors]

Christmas Day is two weeks today, but there's still an awful lot to get done before we can close our computers and shut up the shop. Here are some highlights from this week...

Northampton Town Council

It's been an historic week for parish and town councils in Northamptonshire, with the inaugural meeting of Northampton Town Council (NTC) taking place on Monday evening. Cllr Rufia Ashraf was elected as the first chairman of the town council, and Richard Walden was appointed as the first interim clerk. NTC is B-I-G: 130,000 residents, 90,000 electors, 25 councillors. You can see a record of all the decisions made on Monday evening at https://twitter.com/Northampton_TC/status/1336015859563769858.

Training Opportunities

Training may be over for 2020, but 2021 is just around the corner. Lots of exciting and new courses are being added to the training webpages; here is what we have on offer in January 2021:

Risk assessment 14 January 2021 10:00-12:00

When was the last time you properly reviewed your risk assessment? Is your workplace and your premises Covid safe? A risk assessment is a living document, not a tick box exercise. It is essential to include how you are responding to Coronavirus and ensuring your staff and members of the public are safe. This course aims to demystify the subject by explaining what the law requires and then providing practical guidance on how to carry out a risk assessment, using actual examples from the parish and town council sector. <https://www.northantscalc.com/risk-assessment4.html>

Planning for Elections 27 January 2021 10:00-12:00

Come what may, elections in 2021 WILL go ahead....probably! This session will tell you everything you need to know to prepare you for elections in 2021 from generating interest to become a Councillor, to the statutory timetable, and process of elections. Book now to avoid disappointment. <https://www.northantscalc.com/planning-for-election.html>

Police Liaison Representative Scheme (Re)Launch

I met this week with Chief Superintendent Ashley Tuckley, the new Head of Local Policing for Northamptonshire. We agreed to relaunch and revitalise the Police Liaison Representative (PLR) Scheme, where every parish and town council and parish meeting appoints a person (could be a councillor, officer, or member of the public) to act as a single point of contact for the police. It is the same principle as the Parish Paths Warden Scheme for rights of way and the Highways Representative Scheme for highways. The scheme was trialled a few years ago in Daventry district, but was not adequately managed so it rather fizzled out. This time, Northamptonshire Police has asked Northants CALC to manage and administer the scheme, so next week I will be writing to all members with full details and a request to add an item to your January agendas "To appoint a Police Liaison Representative to act as a single point of contact with Northamptonshire Police".

Local Government Reorganisation (LGR) Events

Bookings for our LGR Q&A events in January are coming in fast. Our guests are the newly appointed CEOs for each of the new unitary councils who will answer ALL your questions! To register your place please click the relevant link below.

LGR Q&A – West Northamptonshire

When: Monday 18 January 2021 10:00 – 12:00.

Register

at https://us02web.zoom.us/meeting/register/tZAudeCsqTMqHNEs_qD_pHdtRNR3NNIzSF8A

LGR Q&A – North Northamptonshire

When: Tuesday 19 January 2021 10:00 – 12:00.

Register

at https://us02web.zoom.us/meeting/register/tZIpcyquqDIuGNL66t3Kx_SBwTl6cOnpLPN1

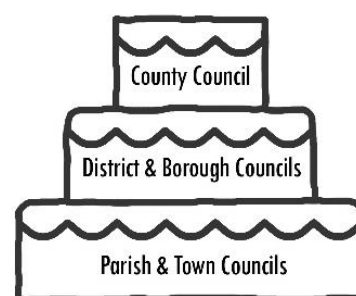
Northants CALC Internal Audit Service

On Wednesday we had the third and final meeting of the year of the Internal Audit Service (IAS). Our team of eleven internal auditors reviewed the audit process for the year ending 31 March 2020 and considered feedback and comments submitted by parish and town councils. They also looked forward to next year including appraising the draft Annual Governance and Accountability Return (AGAR) forms for the year ending 31 March 2021. I am meeting one of the Senior Audit Managers from PKF Littlejohn next week to feedback comments from parish and town councils and from the auditor team and I will post a summary of PKF's responses on our web site.

That's all for this week. I hope you have a safe and warm weekend! 🏠🍷

All Change for Councils in Northamptonshire

Local government in Northamptonshire is changing. The existing system, which has been in place since the 1970s, is like a three-tier cake. The bottom layer is parish and town councils which typically cover one village or town. The middle layer is borough and district councils, which are responsible for things like planning applications, collecting the bins, tourism, and dealing with benefits. The top layer is the county council, which is responsible for things like social services, education, and highways.



From 1 April 2021 the top two layers of the cake are being replaced with one layer, known as unitary councils. There will be two in Northamptonshire: North Northamptonshire Council, and West Northamptonshire Council. Parish and town councils remain as they are.



The new council's logo.

**North
Northamptonshire
Council**

North Northamptonshire Council will cover the area currently covered by Corby Borough Council, East Northamptonshire Council, Kettering Borough Council, and Borough Council of Wellingborough. The area includes the large towns of Corby, Kettering, and

Wellingborough, and over one hundred smaller towns, villages, and hamlets. North Northamptonshire Council will be one of the larger unitary councils in England. It will be responsible for all the services currently being provided in the area by the district, borough, and county councils.

The main reason for replacing the district, borough and county councils with unitary councils is to save money. Northamptonshire County Council had well-publicised financial issues in 2017 and 2018, which led to a government inspection of the council. The inspector's report recommended that creating unitary councils was the best solution.

Most people will not notice any difference, certainly in the first few years of the unitary councils. In fact, great efforts are being made to ensure that is the case. For example, the lorry collecting the rubbish might have a different logo on it, but the bins will still be collected. Council services will continue as normal, and any changes will be gradual.

From 2021 you will see three lines on your council tax bill. You will pay an amount for the parish or town council that looks after your village or town, an amount for Northamptonshire Police, and an amount for North Northamptonshire Council for all the council services it provides. The amount you pay to each body is set by that body.

North Northamptonshire Council will have 78 councillors, who will be chosen at the local elections on 6 May 2021. Some will be people who have been district, borough, and county councillors

before; others will be new. Anyone over 18 and living in North Northamptonshire can put themselves forward to be a councillor. The councillors elected in 2021 will serve a four-year term of office and may seek re-election in 2025.

Council meetings are held in public, and all the information, reports, and papers for the meetings are published on the council's web site. Councils are open and democratic bodies and are accountable to the people they serve.

If you are interested to find out more about the changes happening to local government in Northamptonshire please visit <https://futurenorthantsnorth.org>.

Dear All

I thought it prudent to update you all on the situation surrounding the transfer of our **Household Waste & Recycling Centres (HWRCs)** contract to Urbaser

Summary

The Council's HWRCs are currently operated by Amey. Amey has recently sold its HWRC contract to Urbaser. NCC are working with Urbaser to ensure a smooth handover, which is not expected to affect operations at the sites. The transfer is expected to occur at the end of January 2021.

Background

Northamptonshire has a network of 9 Household Waste Recycling Centres (HWRCs) which are provided primarily to enable its residents to dispose of their household waste free of charge (which is a requirement of the Environmental Protection Act 1990). The HWRCs are managed under a contract between NCC and Enterprise Managed Services (EMS), an organisation which was bought out by Amey in 2013. The contract commenced in 2010 and it is a 15 year contract, ending in 2025.

On transition to unitary on 1st April 2021, the HWRC contract will be hosted by North Northamptonshire Council until the contract's natural expiry in 2025. This period will give the new

unitary authorities time to review the HWRC services and associated infrastructure and consider how these services will be provided in the future.

Sale of Contract to Urbaser

Amey have been looking for a buyer for parts of its waste services business since 2019. In early October 2020, Amey notified NCC that Urbaser were interested in buying out a number of its waste contracts, including Northamptonshire's HWRC contract. NCC have agreed to this transfer in principle and are finalising the necessary legal paperwork.

Urbaser

Urbaser's UK operations are owned by its Spanish parent company, Urbaser SAU, a market leader for waste treatment in Spain. Their UK business is headquartered in Cheltenham, Gloucestershire and operates across the UK to deliver waste collections, street cleansing and grounds maintenance on behalf of Gosport, Burnley, Windsor and Maidenhead, North and East Herts and Dartford councils amongst others. They also operate two residual waste

treatment facilities in Gloucestershire and Hereford & Worcestershire. For the 2019 financial year, Urbaser delivered a revenue of £795m, operating profit of £48m and a net asset position of £670m. In other words, Urbaser are an established UK Waste Management organisation, with relevant experience operating HWRCs and are financially stable.

Next steps

Any risks associated with the transfer of the HWRC contract to Urbaser are being assessed by colleagues from LGSS Law and waste management officers. LGSS Law is also reviewing the draft

deed of contract novation which have been sent by Amey. Urbaser's financial position will be researched by colleagues from Finance. Provided everything is in order and the Council is satisfied, then the timescale for transfer of the contract to Urbaser is the end of January 2021. It is anticipated that the majority of staff employed at the HWRCs and the supervisors and contract

manager who are all currently employed by Amey will be TUPE transferred to Urbaser. This will enable seamless continuation of services at the HWRCs, without any negative service implications for Northamptonshire's residents.

The sites will be rebranded with Urbaser as the operator, and this will, as far as possible, be aligned to the rebranding required for the new unitaries to avoid any duplication of effort and cost.

Preparations for the transfer of the HWRC contract to North Northamptonshire Council will continue as planned under the Future Northants programme, albeit with the transfer anticipated to be with Urbaser as the contractor.

If you have any further questions, please contact please feel free to reach out to me directly via email.

Kindest Regards

Jason Smithers

Cabinet Member For Place, Highways And The Environment

jsmithers@northamptonshire.gov.uk

Telephone: 07779137081

Twitter: [@smithersjason](https://twitter.com/smithersjason)

Dear Defib Guardian

As the guardian of a community public access defibrillator(s), I'm getting in touch to tell you about a life-saving development which requires your support.

We have been working in partnership with British Heart Foundation to develop a life-saving initiative called **The Circuit – the national defibrillator network**. The Circuit links together defibrillators across the UK, connecting them automatically to every ambulance service and

allowing them to be more accessible in an emergency, crucially helping to save more lives from unnecessary loss.

The Circuit is now live and ready for you to connect your defibrillator today – as your defibrillator was previously registered with us, it is pre-loaded on the system, meaning you just need to connect to it. Doing so will help us to know where your defibrillator is, and to be sure it's ready for use in an emergency.

How to connect to The Circuit

Connecting your defibrillator to The Circuit is quick and easy. All you need to do is follow 4 simple steps:

1. Visit www.thecircuit.uk
2. [Set up your account](#)
3. Enter the postcode of your defibrillator
4. Check 'matched defibrillators' then confirm that the defibrillator that appears is yours

When connecting your defibrillator on The Circuit please have to hand the following details:

- its location and surroundings
- brand, model and serial number (usually on the front of your defibrillator)
- times when it's accessible
- pads expiry dates
- confirm it is displaying its ready signal
- access code (if applicable)

Once connected, we will be able to see your defibrillator on The Circuit and be able to direct bystanders to it at the time of an emergency. You'll also receive instant notifications when your defibrillator is used, and reminder emails to help ensure that your device is well maintained and always emergency ready.

[Connect Now](#)

Thank you so much for connecting your defibrillator to The Circuit. Defibrillators save lives, but they depend on people like you.

Yours sincerely

Mick Barnett-Connolly
Head of Community Response, Collaboration and Engagement
East Midlands Ambulance Service NHS Trust
Nottinghamshire Headquarters
Beechdale Road
Nottingham, NG8 3LL

From Northamptonshire Police, Fire and Crime Commissioner
Dear Parish Councillors,

Many thanks once again to all those who were able to join our first virtual meeting on Monday evening. Feedback suggests that councillors enjoyed the session and found it informative.

Three new Microsoft Teams meetings have now been arranged between January and March next year, each with a different focus. It is hoped that as we move through 2021 we will be able to reinstate the face-to-face meetings and host them in different locations across the Police and Fire estate.

In the meantime, virtual dates for your diary are listed below. If you would like to join any or all of the meetings please let me know which one(s) and I will send joining instructions nearer the time.

Date	Time	Theme
Monday January 18th	6pm – 7:30pm	Budgets and future plans
Monday 22 February	6pm – 7:30pm	Service updates and improvements
Tuesday 23 rd March Chief Constable Adderley and Chief Fire Officer Dovey will join this session	6pm – 7:30pm	Working together and sharing estates and services

Finally, after a difficult year for everyone we would like to take this opportunity to wish you all a Merry Christmas and a happy, healthy and peaceful New Year.

Finance report January 2021 meeting			
	BUDGET	ACTUAL TO DATE	% of budget
Payments (excluding VAT)			
Staff costs inc hmrc	£ 9,520.00	£ 7,416.27	77.90%
Insurance	£ 1,550.00	£ 893.32	57.63%
Room Hire	£ 200.00	£ 72.26	36.13%
Admin costs, station, post, miles	£ 500.00	£ 250.43	50.09%
Subscriptions	£ 665.00	£ 634.02	95.34%
Training/conference	£ 1,250.00	£ 1,108.00	88.64%
Audit	£ 420.00	£ 522.00	124.29%
Street Lighting	£ 2,300.00	£ 1,396.57	60.72%
Solicitor		£ -	#DIV/0!
Parks & Open Spaces, grit, bins, trees	£ 5,610.00	£ 4,636.63	82.65%
Asset Maintenance	£ 1,225.00	£ 390.07	31.84%
Website & email	£ 585.00	£ 464.00	79.32%
PWLB	£ -	£ -	#DIV/0!
s137 payments	£ 50.00	£ 50.00	100.00%
Other payments (not in budget)	£ -	£ -	#DIV/0!
Total Payments	£23,875.00	£17,833.57	74.70%
	Cumulative		
Receipts (excluding VAT)			
Precept - ENC	£32,835.00	£32,835.00	100.00%
Allotment Rent	£ 140.00	£ 122.50	87.50%
Interest	£ 25.00	£ -	0.00%
Donations		£ 250.00	#DIV/0!
Other receipts (not in budget) donations/grants	£ -	£15,537.18	#DIV/0!

email a/c credit		£ 12.50	#DIV/0!
Total Receipts	£33,000.00	£48,757.18	147.75%
			Includes grants
Reserves/projects	Opening Balance	Closing Balance	
General reserves	£ 3,000.00	£ -	0.00%
Election	£ 1,000.00	£ -	0.00%
Village plan	£ 150.00	£ -	0.00%
PF imp project	£ 3,000.00	£ 4,850.80	161.69% Is offset by donations so far in receipts
Replace bench	£ 700.00	£ 418.00	59.71%
Replace pole New Town	£ 650.00	£ 650.00	100.00%
Solicitor fees	£ 500.00	£ 340.00	68.00%
Path, grant, benches	£10,000.00	£10,000.50	100.01%
Grant gym equip	£ 2,650.00	£ 2,633.68	99.38%
Grant/CTP		£ -	#DIV/0!
Total Reserves	£21,650.00	£18,892.98	87.27%

Comments

- 75% of budget spent 75% of the way through the year
- Forecast expenditure by end of year £21100 and £2775 under budget (asset maintenance, room hire, insurance , admin and street lighting amongst savings)
- Reserves will also be carried over from playing field, general reserves build up and election costs
- Bank balance end of December £15756
- Healthy budgetary position with a good balance of reserves going forward to continue PF improvements, take on any reorganisation changes and election.

EASTON ON THE HILL PARISH COUNCIL MEETING

DATE: 11/1/2021

SUBJECT: Leasing part of the Playing Field land to the cricket club

1 Introduction and purpose of report

- 1.1 The Parish Council has recently received official title ownership of the Playing Fields after a long time of applying and getting it registered with the Land Registry
- 1.2 This now means that the land could be leased out if that is what the residents and council feels is the right thing to do. The financial regulations require that a report be provided to council in respect of valuation and condition of the land and with a business case including an adequate level of consultation with the electorate.

2 Recommendations

- 2.1 That the report is received and noted, and the options at Appendix B considered and option 2 being consulted upon.
- 2.2 That the residents are consulted on arrangements for the Playing Field land to be leased out with a long-term lease to the Cricket Club via the Playing Field Improvement Committee communications and What's on the Hill newsletter.
- 2.3 That the outcome of the consultation be considered in conjunction with the extended case to be presented to council for the land to be leased out.

3 Background

- 3.1 The cricket club has been using the area of the Playing Fields known as the outfield and wicket for over 60 years. There has been no official arrangement in place in terms of a lease or licence although it was understood that the Parish Council owned and managed the whole area and allowed the cricket club to operate the club there. The public continue to have access to the land where the cricket club is and only avoid the area at times of matches (except the wicket which is avoided at all times.)
- 3.2 The Parish Council created a working party to look at a Village Plan in 2017, starting in 2015, consulting the residents on what it would like to see in the future of the community and what changes for the better could be made. Under "Recreation and Leisure", there was overwhelming support of those attending the focus group meetings for an effort to **reinvigorate the Sports and Playing Fields**. A recommendation was to develop a plan to relocate the sports fields or, if this was not possible, to **redevelop and upgrade the existing site** - which included the cricket club.
- 3.3 The land known as the Playing Fields was not registered in the Parish Council's name and so a process was started to register the ownership of the land with the land registry in order that changes and improvements could be made. A Playing Fields Working Party was formed to look at what improvements residents wanted to see at the Playing Fields and recommendations put to the council in February 2020. The ownership was registered in October 2020 and grants applied for improvements to be made and these have started. The cricket club was not included in these recommendations. (The PC needed to prove ownership of land before it could lease it out.)

- 3.4 The Cricket Club cannot apply for improvement grants in its own right as it does not own the land or have long-term tenure of the land it uses. See report from the cricket club below, appendix A.
- 3.5 In order to provide long-term tenure and stability for the cricket club and continued sports use of the land, it could make sense to lease out the land to the cricket club.
- 3.6 The council must authorise any leasing out of its land, once the full business case is provided and the electorate consulted.
- 3.7 The council has included the improvement of the Playing Fields on the agendas of their meetings for over a year and discussed it at many council meetings. The issuing of a lease to the CC has been the accepted route and no alternatives put forward.
- 4. Proposal**
- 4.1 That the electorate be formally consulted to ensure that they are in agreement with a long-term arrangement for the cricket club and that there is not an alternative, better use of the PC land and that a lease be issued.
- 5. Points to consider**
- 5.1 The club has been a main user of the land since the 1960s with no formal challenge to the PC for an alternative use.
- 5.2 It is important to continue the recommendation made from the last consultation with the residents in 2016 to upgrade and improve the sports fields. A lease would enable the tenants to apply for funding to improve the club's facilities and - membership opportunities and long-term position of the club for investment.
- 5.3 There is planning permission already in place for change of use to recreational activity with parking to be provided for up to 15 cars.
- 5.4 There is enough space at the Playing Fields to accommodate the cricket club and other sports if the need arises. The social element a sports club brings is important aspect of community cohesion and children can be encouraged to participate in sports and exercise.
- 5.5 The cricket club has a representative on the Playing Field Improvement Committee and is involved in improving the surrounding area and helping to maintain the boundaries etc
- 6. Options/alternatives – see below appendix B.**
- 7. Staffing Policies**
N/A
- 8. Financial Implications**
- 8.1 There are financial implications in terms of receiving rent from the leasing out of land and the drawing up of a lease by a solicitor – half the costs will be met by the cricket club, a fixed cost fee of £900 between the club and the PC has so far been agreed by the solicitor. Rent has been suggested as a peppercorn rent of £10 pa.
- 9. Policy Implications**
N/A
- 10. Health and Safety Implications**
- 10.1 These will be included in the terms and conditions of the lease.

Appendix A

Cricket has been played in Easton on the Hill for over a century. The original ground was on the A43, near Cliffe Road, but in the 1960's the opportunity arose to establish a village cricket club on the site of the current playing field, opened by the Parish Council.

Since the early 1970's, when the cricket pavilion was donated to the club by Stamford school, Easton on the Hill cricket club has played on the playing field, with a mixture of Saturday, Sunday and midweek cricket being enjoyed. There have been unofficial agreements given to the cricket club in the past, with the parish council affording the cricket club the opportunity to play at the playing field without paying any rent. This opportunity was also afforded to the now defunct Easton Eagles Football Club for a number of years too. In return for use of the field the cricket club, with the help of supporting local farmers, has regularly kept the cricket outfield grass to a high standard and trimmed the hedgerows.

Since 2017 the cricket club has sought to re-invest in the club, after years of minimal cash outlay and the current committee identified the need to spend around £70k in order to bring the cricket club up to modern, safe standards for recreation and play. A reasonable amount of the money required has been raised by the club to refurbish the damp/ rotten pavilion, install new practice nets, purchase ground maintenance equipment and second hand covers. The recent £10k rates rebate payments due to CoVid 19 has also allowed the club to install a fence along the hedgerow (vital in protecting the field from rabbit invasion and also reducing time spent looking for cricket balls during matches) and around the nets, which are constantly attacked by rodents. In the spring of 2021 we will also see delivery of new sight screens, which have been an issue for many years.

In order for the cricket club to continue to thrive and invest in facilities the club now needs to secure a lease from the Parish Council. There are further funding avenues available to pursue, however a long term lease for the ground is required in order for the cricket club to do this and the investments still required are;

- Installing a new electrical supply to the pavilion (£20k).*
- Laying an artificial wicket for midweek and junior cricket games (£7k).*
- Replacement of the second hand covers (£6k).*
- Installation of separate changing and shower facilities for umpires (£5k).*

It must be stressed that the installation of the electrical supply is the most important of these required investments and providing this would also benefit the village hugely, as the electrical supply would be replaced to the whole field. Currently there is no electricity at the field at all, meaning the hire of generators for the cricket club to operate and for any other event to take place at the playing field.

In summary, the provision of a long term lease to the cricket club will allow the club to seek funding for many required projects, which would benefit the whole village directly and enhance the potential use of our playing field for all villagers.

Appendix B

OPTIONS AND ALTERNATIVES FOR USE OF PARISH COUNCIL OWNED LAND CURRENTLY USED BY THE CRICKET CLUB AT THE PLAYING FIELDS AT EASTON ON THE HILL

	PROS	CONS
OPTION 1 Sell the land to the cricket club already in situ for their continued use.	CC can have total control over the land and its use.	Public access rights reduced and could be diminished over time. Cost to CC would be too much to buy and maintain the land. No control over use of land in the future.
OPTION 2 Lease the land to the cricket club already in situ on a long-term basis	<p>The CC have more stability of location and can invest by applying for more grants themselves and improve the facilities for all.</p> <p>The PC still retains some control over the land and its use and retains rights of public access.</p> <p>Keeps the sports club going whilst improving and maintaining good relationships with the CC via formal arrangements and terms and conditions.</p> <p>Meets the recommendations from the resident survey/Village Plan in 2017.</p> <p>There is still space at the playing fields for other equipment and sports clubs if required.</p> <p>Investment in the club could bring other benefits to the village and combine facilities for other sports to operate more successfully.</p>	<p>Cost of issuing a lease (split between PC and CC)</p> <p>Complicated arrangements over public access prove too hard to manage easily.</p> <p>Loss of options for land use by the PC for 25 years.</p>

<p>OPTION 3 Provide the cricket club in situ a license to use the land for cricket.</p>	<p>There can be a set of rules agreed to manage the use of the land by the CC.</p> <p>The use is retained for the public and sports activities.</p>	<p>A license is only short-term and provides no stability for investment.</p> <p>Grants cannot be applied for by the CC as they have no long-term tenancy or ownership.</p>
<p>OPTION 4 Continue the unofficial arrangement in place now and allow the cricket club use of the land still.</p>	<p>No expense involved.</p>	<p>No long-term arrangements for the CC to apply for grants themselves and opportunity to invest.</p> <p>PC could apply for grants for them but more work, not so specialised, could conflict with other expenditure in village.</p> <p>No formal arrangements in place with terms and conditions agreed for smooth operating.</p>
<p>OPTION 5 Use the land for other sports or another use and force the cricket club to relocate.</p>	<p>More space and opportunity for other recreational activities for all residents.</p>	<p>Cricket is embedded in the history of the village and this would be lost.</p> <p>Goes against the Village Plan recommendations and residents' comments to improve and develop sports facilities in the village.</p> <p>The same issues would exist with other clubs/sports.</p>
<p>OPTION 6 Lease the land to other parties for sport or other use.</p>	<p>Opens opportunities for different sports. (There is room for cricket and other sports too)</p>	<p>The history and tradition of cricket playing in the village could be lost and community cohesion and relationships and investment opportunities destroyed.</p> <p>More problems could evolve with new clubs and people.</p>

STANDING ORDERS



MODEL STANDING ORDERS 2018 FOR ENGLAND (REVISED 2020)

Introduction	3
1. Rules of debate at meetings	4
2. Disorderly conduct at meetings	5
3. Meetings generally	6
4. Committees and sub-committees	9
5. Ordinary council meetings	10
6. Extraordinary meetings of the council, committees and sub-committees	12
7. Previous resolutions	12
8. Voting on appointments	12
9. Motions for a meeting that require written notice to be given to the proper officer	13
10. Motions at a meeting that do not require written notice	13
11. Management of information	14
12. Draft minutes	15
13. Code of conduct and dispensations	15
14. Code of conduct complaints	16
15. Proper officer	17
16. Responsible financial officer	18
17. Accounts and accounting statements	19
18. Financial controls and procurement	19
19. Handling staff matters	21
20. Responsibilities to provide information	22
21. Responsibilities under data protection legislation	22
22. Relations with the press/media	23
23. Execution and sealing of legal deeds	23
24. Communicating with district and county or unitary councillors	23
25. Restrictions on councillor activities	23
26. Standing orders generally	24

Introduction

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

How to use model standing orders

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

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

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

Drafting notes

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

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

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

1. Rules of debate at meetings

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

- i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave

offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.

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

3. Meetings generally

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

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

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; new

v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;

vi. if there was a public participation session; and

vii. the resolutions made.

- u **A councillor or a non-councillor with voting rights who has a**
- **disclosable pecuniary interest or another interest as set out in the**
- **Council's code of conduct in a matter being considered at a meeting is**
- **subject to statutory limitations or restrictions under the code on his**
- **right to participate and vote on that matter.**
- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

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

- w **If a meeting is or becomes inquorate no business shall be transacted**
 and the meeting shall be closed. The business on the agenda for the meeting
 ● shall be adjourned to another meeting.
- x A meeting shall not exceed a period of 2.5 hours.

4. Committees and sub-committees

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 2 days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;

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

5. Ordinary council meetings

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 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, **unless it is decided to spread the review of some policies throughout the year** EOTH:

- 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. Revised
- 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*); Revised

- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures new;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.new
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. Extraordinary meetings of the council, committees and sub-committees

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

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. Voting on appointments

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

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 7 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

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

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

- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. Management of information Revised

See also standing order 20.

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

12. Draft minutes

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

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

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place. NEW**
-
-
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. Code of conduct complaints

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

the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

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

15. 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 5 days before the meeting confirming his withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**

- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one); **NEW**
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also standing order 23);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman (if there is one) of the Council] OR [Chairman or in his absence Vice-Chairman (if there is one) of the () Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council] OR [() committee]; **No other planning bit Decide!**
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23). **NEW**

16. Responsible financial officer

- a The Council shall appoint appropriate staff member(s) to undertake the work of

the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. Accounts and accounting statements

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

18. Financial controls and procurement

- a. The Council shall consider and approve financial regulations drawn up by the

Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise. new
- 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). NEW**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting

of the Council or a committee or sub-committee with delegated responsibility.

- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016. NEW**

19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of [Council] OR [the () committee] OR [the () sub-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 () committee] OR [the () sub-committee] or, if he is not available, the vice-chairman (if there is one) of [the () committee] OR [the () sub-committee] of absence occasioned by illness or other reason and that person shall report such absence to [the () committee] OR [the () sub-committee] at its next meeting.
- c The chairman of [the () committee] OR [the () sub-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 member of staff's job title]. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by [the () committee] OR [the () sub-committee].
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of [the () committee] OR [the () sub-committee] or in his

absence, the vice-chairman of [the () committee] OR [the () sub-committee] in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of [the () committee] OR [the () sub-committee]. **STAFFING 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 or vice-chairman of [the () committee] OR [the () sub-committee], this shall be communicated to another member of [the () committee] OR [the () sub-committee], which shall be reported back and progressed by resolution of [the () committee] OR [the () sub-committee].
- 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).

20. Responsibilities to provide information

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. *If gross annual income or expenditure (whichever is higher) does not exceed £25,000* **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

21. Responsibilities under data protection legislation NEW

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

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

- f **The Council shall maintain a written record of its processing activities.**

22. Relations with the press/media

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

23. Execution and sealing of legal deeds

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 23(a), 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. OK?

24. Communicating with district and county or unitary councillors NEW

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

25. Restrictions on councillor activities

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

26. Seeking advice EOTH

Where advice is needed from East Northants Council/Unitary Council or the Northants Association of Local Councils (NCALC) on procedural matters, this should always be done through the Clerk. The Monitoring Officer will continue to provide advice to individual Councillors on their personal position in relation to declarations of interest but, if there are concerns about the position of other councillors, that advice should be asked for, by and given to, the Clerk.

26. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 3 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.

© NALC 2020. All rights are reserved. No part of this publication may be reproduced or used for commercial purposes without the written permission of NALC save that councils in membership of NALC have permission to edit and use the model standing orders in this publication for their governance purposes.

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