



**Laverstock & Ford Parish Council**  
Incorporating Milford, Bishopdown Farm, Old Sarum & Longhedge

**Extraordinary Virtual Parish Council Meeting  
held at 6.00pm on Monday 29<sup>th</sup> March 2021  
MINUTES**

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**Councillors present:** Baker (Chair), Barker, Dean, Hayes, Maskell, Waller, Warren (from 6.16pm)  
**In attendance:** Prince (Clerk), Deane (Deputy Clerk), Whitfield (Communications and Community Engagement Officer)

The chair opened the meeting at 6.02pm and welcomed several members of the public. Two members wished to speak about a planning application from the agenda. The chair confirmed he would invite them to speak at that point. The meeting commenced at 18.04pm.

**21.045 Apologies** – no apologies had been received.

**21.046 Declarations of Interest** – there were no declarations of interest.

**21.048 Planning**

**20/09977/FUL** Six dwellings at Old Sarum Cottages.

The council discussed the revised application and their previous objections of landscape sensitivity, archaeology, flooding and drainage, highways and access, car charging points and storage.

**Resolved:** to approve the Parish Council response as NO COMMENT

**21/01273/FUL** Garden studio 38 Riverbourne Road, Milford.

The Architect spoke on the application and confirmed the building was for the resident's personal use. The members of the public who wished to speak expressed concerns about the height of the proposed building.

**Resolved:** to approve the Parish Council response as OBJECT due to the significant overbearing impact on the neighbouring property and substantial overshadowing of the garden.

**Land in Duck Lane.** The Clerk reported that the council objected to a previous application as the site was outside of the housing policy boundary. A planning agent has requested that the land be considered within the Neighbourhood Plan to deliver one dwelling. The Neighbourhood Plan group did not consider it appropriate to include and that the normal planning process should apply. The council agreed with this response and that the reasons for objection to the previous application would still stand.

**21.49 Governance.**

The following documents were presented for consideration: Constitution, Scheme of Delegations, Standing Orders. The Financial Regulations will be presented at the next meeting.

Some amendments were made and the final proposed documents are attached.

Subject to the agreed amendments, these were proposed by Cllr Baker, and seconded by Cllr Maskell to be considered, and presented for formal adoption by the council at the April meeting.

**21.050 Best Kept Village Competition.**

The council agreed that the competition delivered many benefits but there was insufficient time to prepare for entry this year. It was agreed that the council considers entry for different areas in the parish next year.

**21.50 Co-option of Councillors.**

Cllr Hayes presented a proposed process to follow when co-opting councillors. Some amendments were suggested and Cllr Hayes will review in time for the May meeting. **ACTION – Cllr Hayes**

**21.052 Exempt Business - Exclusion of the Press & Public** – there being no exempt business, this item was cancelled. The meeting closed at 7.38pm.

**NEXT MEETING.** The next meeting of the Parish Council will be at 6pm on Monday 19<sup>th</sup> April 2021. This will be a virtual meeting held using Zoom software.

## Constitution of Laverstock & Ford Parish Council

Date last amended	7 <sup>th</sup> April 2021
Date adopted	
Minute Reference	
Date of next review	

### 1. Title and Area

The Council shall be called the Laverstock and Ford Parish Council and operate in the area specified in the Statutory Order setting up the Parish Council or in any subsequent amendment. (Currently this includes the communities of Laverstock, Ford, Old Sarum, Longhedge and Bishopdown Farm).

### 2. Functions

The functions of the Council shall be:

1. To exercise such powers and duties as are laid upon it by its core governance documents .
2. To exercise such powers and duties as are laid upon it by statute.
3. To exercise such powers and duties as are laid upon it by delegation from the Wiltshire Council or other appropriate public body.
4. To protect, enhance and promote the environment of the area of the Parish Council.
5. To protect, enhance and promote the collective interests and well-being of the residents of the Parish of Laverstock and Ford.
6. To make representations to Wiltshire Council, and any other Statutory Body or Public Utility on matters affecting the residents of Laverstock and Ford Parish.
7. To stimulate and foster support for approved policies of the Council.

### 3. Constitution

1. The Council shall consist of:
  1. 16 Members elected by the electors of the Parish of Laverstock and Ford or such other number as may be specified by Wiltshire Council which shall not be less than 5.
  2. Such co-opted Members as may be necessary to fill normal or casual vacancies as the Council may determine.
2. For the purposes of the election referred to in (a(i)) above the area of the Council shall be divided into three wards each electing Members as specified below:
  1. Bishopdown Farm – 5 members
  2. Ford, Old Sarum and Longhedge – 6 members
  3. Laverstock and Milford – 5 members.
3. All Councillors shall retire together in every ordinary year of election on the fourth day after the ordinary day of election of such Councillors and the newly elected Councillors shall come into

office on the day on which their predecessors retire.

**4. Financial and Administrative Year**

The Financial and Administrative year of the Council shall be in the period commencing on the first day of April and ending on the thirty-first day of March in the following year.

**5. Meetings of the Council**

Meetings of the Council shall normally be held by rotation at the Riverbourne Community Farm, the Old Sarum Community Centre, Greentrees Junior School or any other such community building as may become available. Meetings shall commence at 7.00pm unless otherwise determined.

**6. Governance**

1. The Council will be governed by reference to three core documents;
  1. **Standing Orders** which set the rules of debate in Council meetings and the role of the Proper Officer and Responsible Financial Officer.
  2. **The Scheme of Delegations** which details those of its powers and responsibilities the Council delegates to Committees and to Officers.
  2. **Financial Regulations** which set out how the Council's financial affairs will be managed.
2. Governance Documentation will be reviewed and confirmed at the Annual Parish Council meeting taking place each year.
3. Amendments to any of the three core documents can only be made having been tabled, proposed and seconded at a Parish Council meeting where the matter is then deferred to the following meeting to allow all members to consider the changes proposed.
4. The Council will seek to meet and maintain compliance with the requirements to adopt the General Power of Competence for Parish Councils as set out in **The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012**
5. The Council will publish annually following the Annual Parish Council meeting a calendar of key events for the following 12 months including;
  1. Next Annual Parish Council Meeting
  2. Next Annual Parish Meeting
  3. Dates of all normal Parish Council and Committee meetings
  4. Date for submission of AGAR financial returns
  5. Date for adoption of the Parish Council's Budget
  6. Deadline for submission of Precept demand on Wiltshire Council
  7. Dates of planned events to inform and engage with the community.

Revised 7<sup>th</sup> April 2021

# **Standing Orders of Laverstock and Ford Parish Council**

Date last amended	29 <sup>th</sup> March 2021
Date adopted	
Minute Reference	
Date of next review	

**Revision March 2021**

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## Introduction

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. Laverstock & Ford Parish Council 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 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.

Alongside the Standing Orders are the Financial Regulations which are a separate 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.

Standing Orders that are in bold type contain legal and statutory requirements. These are a mandatory part of the standing orders of all councils and should not be changed .

## 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 Chair 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 Chair 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 A councillor may move an amendment to their 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.
- h If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair of the meeting.
- i One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- j A councillor may not move more than one amendment to an original or substantive motion.
- k The mover of an amendment has no right of reply at the end of debate on it.
- l Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except:
  - s to speak on an amendment moved by another councillor;
  - t to move or speak on another amendment if the motion has been amended since they last spoke;
  - u to make a point of order;
  - v to give a personal explanation
- m 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- n A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- o 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.
  - Excluding motions moved under standing order 1(o), 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 Chair 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 Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.
- d If the Chair of a meeting stands up all attending the meeting shall fall silent.

## 3. Meetings generally (See Colour Code for applicability at Full Council , Committees or sub committees.)

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

- i. **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.**
- ii. **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.**



- iii. **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**
- iv. **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.**
- v. 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 as directed by the Chair.
- vi. 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 Chair of the meeting.
- vii. Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- viii. 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 Chair of the meeting may direct that a written or oral response be given.
- ix. A person who speaks at a meeting shall direct their comments to the Chair of the meeting.
- x. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- xi. **Subject to standing order 3(l), 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.**
- xii. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- xiii. **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.**
- xiv. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-**

**Chair of the Council (if there is one).**

- xv. **The Chair of the Council, if present, shall preside at a Full Council meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- xvi. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors present and voting.**
- xvii. **The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*

- xviii. **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 their vote for or against that question.**
- xix. The minutes of a meeting shall include an accurate record of the following:
  - a. the time and place of the meeting;
  - b. the names of councillors who are present and the names of councillors who are absent;
  - c. interests that have been declared by councillors
  - d. the grant of dispensations (if any) to councillors
  - e. whether a councillor left the meeting when matters that they held interests in were being considered;
  - f. if there was a public participation session; and
  - g. the resolutions made.
- xx. **A councillor 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 their right to participate and vote on that matter.**
- xxi. **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.*

- **xxii. 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.
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- **xxiii.** A meeting shall not exceed a period of 2.5 hours. If at the end of 2.5 hours the business of the meeting has not been concluded, it may be extended by a further half an hour subject to a majority vote of councillors present and voting

#### **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 permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iii. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - iv. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;
  - v. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;
  - vi. 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;
  - vii. shall determine if the public may participate at a meeting of a committee;
  - viii. shall determine if the public and press are permitted to attend the meeting of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee.
  - ix. 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 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.
- d The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.
- e The Chair of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
- f The Vice-Chair of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- g In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.
- h In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
- i Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
  - i. **In an election year, delivery by the Chair 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 Chair of the Council of their 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 of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.

- x. Review of representation on or work with external bodies and arrangements for reporting back;
- xi. 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;
- xii. Review of inventory of land and other assets including buildings and office equipment;
- xiii. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xiv. Review of the Council's and/or staff subscriptions to other bodies;
- xv. Review of the Council's complaints procedure;
- xvi. 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*);
- xvii. Review of the Council's policy for dealing with the press/media;
- xviii. Review of the Council's employment policies and procedures;
- xix. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xx. 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 Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.

#### **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 6 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 and co-options**

- 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 Chair of the meeting.

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b Subject to the provisions of paragraph 10 below, 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 8 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 8 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 Chair 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:
  - a. to correct an inaccuracy in the draft minutes of a meeting;
  - b. to move to a vote;
  - c. to defer consideration of a motion;
  - d. to refer a motion to a particular committee or sub-committee;
  - e. to appoint a person to preside at a meeting;
  - f. to change the order of business on the agenda;
  - g. to proceed to the next business on the agenda;
  - h. to require a written report;
  - i. to appoint a committee or sub-committee and their members;
  - j. to extend the time limits for speaking;
  - k. to exclude the press and public from a meeting in respect of confidential or other information

which is prejudicial to the public interest;

- l. to not hear further from a councillor or a member of the public;
- m. to exclude a councillor or member of the public for disorderly conduct;
- n. to temporarily suspend the meeting;
- o. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- p. to adjourn the meeting; or
- q. to close the meeting.

#### **11. Management of information**

See also standing order 20.

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

#### **12. Draft minutes**

- 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 Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d **The Council 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.

### 13. Code of conduct and dispensations

- a All councillors and non-councillors appointed to committees 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. They may return to the meeting after it has considered the matter in which he had the interest.
- c Unless they have 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. They 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.
- 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
- 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 Wiltshire 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 Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 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 Wiltshire 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 the clerk or Deputy Clerk nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
  - a. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
- a **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**
- b **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;*
  - b. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming their withdrawal of it;
  - c. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**
  - d. **facilitate inspection of the minute book by local government electors;**
  - e. **receive and retain copies of byelaws made by other local authorities;**
  - f. hold acceptance of office forms from councillors;
  - g. hold a copy of every councillor's register of interests;
  - h. 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;

- i. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- j. 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);
- k. arrange for legal deeds to be executed;  
(see also *standing order 23*);
- l. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- m. record every planning application notified to the Council and the Council's response to the local planning authority;
- n. manage access to information about the Council via the publication scheme; and

#### **16. Responsible Financial Officer**

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Clerk/ Responsible Financial Officer is absent.

#### **17. Accounts and accounting statements**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported andwhich 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 which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in any manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

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

#### 19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of Council or the Personnel Committee is subject to Standing Order 11
- b In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records.

#### 1. Responsibilities to provide information

See also standing order 21.

- 1. **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.**

**The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

#### 7 Responsibilities under data protection legislation

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

- The Council may appoint a Data Protection Officer.
- **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**

- **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- **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.**
- **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.**
- **The Council shall maintain a written record of its processing activities.**

**20. 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.

**21. Execution and sealing of legal deeds**

**Any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

**22. Communicating with district and county or unitary councillors**

- i. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Wiltshire Council representing the area of the Council.

**23. Restrictions on councillor activities**

- a. Unless duly authorised no councillor shall:
  - a inspect any land and/or premises which the Council has a right or duty to inspect; or
  - b issue orders, instructions or directions.
  - c Make statements on behalf of the Council

**24. Standing orders generally**

- (i) 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.
- (ii) 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 6 councillors to be given to the Proper Officer in accordance with standing order 9.
- (iii) The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- (iv) The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.



## Laverstock & Ford Parish Council Scheme of Delegations

Date last amended	29 <sup>th</sup> March 2021
Date adopted	
Minute Reference	
Date of next review	

1. Subject to the matters reserved to the full Parish Council, **Standing Committees** are delegated with the powers and duties described below.
2. **Advisory Committees** which may be established from time to time, may consider matters within their remit and make recommendations to Council but may not take decisions in their own right. All Standing Committees and Advisory Committees will operate under Council Standing Orders and be accessible to the public. All members may attend all committees if they wish but may only vote at committees of which they have been designated a member. All members are entitled to be a designated member of at least one committee.
3. **Task and Finish Working groups** (sub groups ) may be established from time to time to work on a specific project or issue and may include non-members of the Council. Working Groups will not take decisions in their own right but report to a standing committee or to the Parish Council which will take appropriate decisions within their remit. Working Groups are informal and do not operate under standing orders. Councillors are however bound by the Code of Conduct when working on behalf of the Council in all fora whether full Council Committee or Working Group.
4. **The Parish Clerk** is delegated with the powers and duties identified subject to a subsequent report of actions taken to the Parish Council or to the appropriate standing committee.

### 1. PARISH COUNCIL Meets Monthly

1. Chair –elected at the annual Parish Council Meeting
2. Members- All Councillors,
3. Administration Parish Clerk and/or Deputy Parish Clerk
4. Attending Parish Clerk, Deputy Parish Clerk and other staff as required.
5. Considers all matters reserved as outlined below plus recommendations from committees and individual councillor motions.

### Matters reserved within Standing Orders.

1. Any special or general directions which the Parish Council may give from time to time.
2. Any relevant statutory provisions not mentioned below.
3. The following specific matters shall also be determined by the Full Council.
  1. Adoption of the Council's Strategic Plan and approval of the implementation programme.
    2. Powers reserved in respect of the Council's Finances including: -
      1. Final adoption of the forward plan and the annual budget of the Council and the precepts on Wiltshire Council.
      2. Schemes involving capital expenditure, outside that which has already been

approved in the annual budget. When a scheme has been approved and the estimated cost agreed by the Full Council the appropriate Committee may proceed with it subject to any tender accepted not exceeding the approved estimate.

3. Approval of the Parish Council's annual return and receipt of its audit reports.
4. Determine applications for grants subject to all applications being considered on their merits and in accordance with the agreed grants process.
  5. To review Parish Council Policies, Procedures and Processes and ensure that they are up to date, fit for purpose, consistent and appropriate
  6. To determine all personnel policy matters, except any that may be delegated to the Personnel Sub Committee and personnel matters delegated directly by Full Council to the Parish Clerk
  7. To determine Parish Council planning policy and the response to planning applications except decisions delegated to the Parish Clerk in consultation with members of the appropriate ward.
  8. The disposal of any freehold land (other than minor adjustments of boundaries).
  9. The granting or taking of a Leasehold interest in any land.
  10. The appointment of Committees and representatives on outside bodies.
  11. The appointment of a Parish Clerk
  12. The revision of any scale of charges for any service.
  13. The making of byelaws.
  14. Any matter of major policy or of sufficient interest or novelty that any three members request that it be debated by Full Council through a motion raised in accordance with standing orders.

4. The Council will receive minutes/reports from standing Committees at the first appropriate meeting following the committee. Reports will be taken as read unless members identify matters for debate.
5. The Council will receive a report from the Parish Clerk at each meeting. Reports will be taken as read unless members identify matters for debate.

#### STANDING COMMITTEES

##### 2. Finance and General Purposes Committee.

**Standing Committee with day to day responsibility for overseeing the Council's finances, and swift implementation of any projects delegated by the full council. Meets monthly two weeks before Full Council and otherwise as required.**

###### 1. Chair – Chair of the Council

###### 1. Members-

3. Chair of the Council
4. Chair of Operations Committee
5. Chair of Communications and Community Engagement Committee
6. Two other council members

###### 1. Attending- Parish Clerk/RFO

###### 2. Administration -Deputy Parish Clerk

3. Day to day oversight of the Parish Council's Finances within the established budget.
4. Considers reports on financial matters presented by the RFO.



5. Undertakes a periodic review of financial Risk assessment and insurances.
6. Oversees Budget preparation for final approval by the Council.
7. Oversees preparation of the annual return before final approval by the council
8. Receives and oversees the response to internal and external audits
9. Undertakes initial action on council responsibilities designated within Financial Regulations and not reserved to the full council or delegated to another committee.
10. Review of Overall Financial Performance. Makes recommendations for improvements to full council.
11. Management of any project or programme specifically delegated to it by the Parish Council.
12. Institute, defend or settle any judicial or quasi-judicial proceedings on behalf of the council and engage legal representatives as required.
13. Submits Minutes/Reports to the Full Council

7. **Personnel Committee**

**Standing committee with delegated authority for personnel matters not otherwise delegated to the Clerk.**

**Meets as required but not less than 2 times a year.**

1. **Chair – Appointed by the Council at the Annual Parish Council Meeting not being a chair of any other committee**
2. **Members- Chair of the Council**
3. **Two other council members**
4. **Administration- Parish Clerk**
5. Forms a panel for any recruitment of the Parish Clerk.
6. Conducting the Parish Clerk’s annual performance appraisal. (minimum of 3 members)
7. Receives reports from the Clerk on staff appraisals.
8. Holds meetings as required with the Parish Clerk to discuss any issues or concerns and report to the Parish Council.
9. Consider any grievances raised by the Parish Clerk.
10. To appoint, if necessary, a suitably qualified professional to conduct the investigations and/or hearing in the event that disciplinary action needs to be taken against the Parish Clerk.
11. Considers appeals in staff grievance and disciplinary matters following action by the Clerk.
12. Authority to dismiss staff failing to satisfactorily complete a probation period.
13. To settle disciplinary matters in accordance with the agreed Disciplinary Policy.
14. To receive any grievances against the Parish Clerk.
15. To authorise, if necessary, an independent professional to conduct any investigations as a result of a grievance or appeal.
16. To authorise commencement of any action or appeal before an industrial tribunal or in any court.
17. Consider any other matters delegated to it by the Parish Council
18. Oversee the development and implementation of employment policies subject to approval by the full council
19. Submits Minutes/Reports to the Full Council

3. **Operations Committee.**

**Standing Committee Overseeing Council Property, Outdoor Services Play and Leisure provision.**

**Meets as required but not less than 4 times a year**

**Chair – Appointed by the Council at the Annual Parish Council Meeting not being a Chair of any other committee**

**Members -Not less than three and not more than five members appointed by the Council at the**

### **Annual Parish Meeting**

**Attending- Parish Clerk as required**

**Staffing – Operations Officer**

20. Recommend to the Parish Council the strategic priorities for all outdoor services.
21. Consider reports by Operations Officer relating to the ongoing operation of the outdoor services.
22. Consider all matters relating to definition and implementation of the Parish Council's Environmental Strategy and make recommendations to council.
23. Oversight of Management all Council Property.
24. Oversight of Management of all Parish Council recreational and leisure facilities.
25. Oversight of Provision, siting and maintenance of bins, bus shelters and benches.
26. Oversight of service level agreements with other bodies on operational matters.
27. Management of any project or programme specifically delegated to it by the Parish Council.
28. Consideration of any other matters delegated by the Parish Council.
29. Submits Minutes/Reports to the Full Council.

### **8. Communications and Community Engagement Committee**

**Standing Committee responsible for Council Marketing, brand management, public relations, interaction and communication with the community and management of Council events**

**Meets as required but not less than 4 times a year**

**Chair – Appointed by the Council at the Annual Parish Council Meeting not being a Chair of any other committee**

**Members -Not less than three and not more than five members appointed by the Council at the Annual Parish Meeting**

**Attending- Parish Clerk and Deputy Parish Clerk as required**

**Staffing – Communications and Community Engagement Officer**

**Oversight of the Council's branding, communications and media programme. Focal point for Community Engagement programmes and events**

1. Develop and implement the Council's branding, communications and media programme
2. Oversight of Council communications media including social media, Council website, Newsletter and noticeboards.
3. Ensure consistent branding on signage at all Council property
4. Oversee the development and implementation of the Council's media relations activity and establish a process for responding to events and for briefing the news media of Council policies and programmes.
5. Oversee the development and implementation if the Council's community engagement programme
6. Act as focal point for the management of Community events staged by the Parish Council
7. Oversee the development of the Council's Annual report.
8. Management of any project or programme specifically delegated to it by the Parish Council.
9. Consideration of any other matters delegated by the Parish Council.

### **PARISH CLERK**

9. The following matters are delegated to the Parish Clerk.
  1. Acting as Proper Officer as defined by Standing Orders.

2. Day to day management of the Parish Council and its resources subject to committee and council oversight.
  3. Signs all official correspondence arising from resolutions of the Council. Receives all correspondence addressed to the council.
  4. General personnel management of Parish Council employees in accordance with Council policy, including appraisal, training and first stage in discipline and grievance procedures.
  5. Carrying out expenditure within the delegated spending limits specified within the financial regulations,
  6. Undertakes all duties designated to the RFO within financial regulations.
  7. Discretion to agree up to five days special leave with pay in any one year for compassionate or other grounds i.e. bereavement, family illness, (compassionate leave in excess of five days up to ten days is subject to approval of the Personnel Sub Committee).
  8. Determination of the Council's response, in conjunction with ward members of any routine planning applications. Ensuring that all significant planning matters are brought to the attention of the full council.
9. Parish Clerk has reasonable discretion on a day to day basis to interpret Council policy to achieve reasonable outcomes providing that action taken shall in all cases be reported to the next appropriate meeting of the Full Council. Also where possible or appropriate committee chairs and/or the council chair will be consulted.

6. ***Urgent Business***

In all cases where urgent decisions are required and unless otherwise provided, the Parish Clerk shall, from time to time, after consulting the Chair of the relevant Committee concerned (or, in his/her absence, the Vice Chair of the Committee); or the Chair of the Council (or, in their absence, the Vice Chair) and where appropriate the Ward Members, take all necessary steps for protecting the interests of, or advancing the business of the Parish Council, providing that action taken shall in all cases be reported to the next appropriate meeting of the Full Council.

1. ***General Policy***

1. The minimum number of members to which any action shall be delegated is three.
2. The Parish Council may appoint members or officers to attend a meeting, or meetings, of another local authority or body as a representative of the Parish Council. He/she shall be formally appointed by the Council as its representative.
3. Any member or officer appointed by the Parish Council to attend a meeting of another authority or body shall represent the views of the Parish Council at that meeting unless they make it clear that the views expressed are their own and not necessarily representative of the Parish Council
4. Unless formally appointed as a council spokesperson, no member or officer shall make statements to any news media purporting to represent the views of the Parish Council. Otherwise members and officers should at all times make it clear that any views expressed are their own and not necessarily representative of the Parish Council.
5. Where appropriate, reports to Committees and the Parish Council should include a Parish Clerk's recommendation.
6. All reports to Committees or Parish Council should indicate the resource and financial implications of the matter and if there are no financial implications that should also be stated.
7. The Clerk will maintain and report to council not less than each quarter, a record of all resolutions taken by the council and progress made towards implementation.

**Revised 29 March 2021**