BINGHAM TOWN COUNCIL

CONSTITUTION

QUALITY
TOWN
COUNCIL

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Document 1.1

INTRODUCTION TO THE CONSTITUTION

Adopted November 2013

1. Purpose

1.1 The purpose of this Constitution is to set out how Bingham Town Council works and how it makes decisions. The Constitution is a living document. It is kept under continual review and is re-examined periodically.

2. Background

2.1 As the first tier of local government, the Town Council is the most local elected body in the Town with discretionary powers and rights laid down by Parliament to represent the people of Bingham and provide some local services for them. It comprises the Town Mayor and Councillors. Councillors are often referred to as "Members" – for example in various codes of conduct. Rushcliffe Borough Council fixes the number of councillors. Bingham Town Council's lawful acts, assets and liabilities are its own and not those of its Councillors.

2.2 The Town Council must act within the law. It can only spend, raise or use money if it has a statutory power to do so; otherwise, it acts ultra vires (beyond its powers). The Town Council has a wide range of powers under different acts of Parliament. Most of these powers are discretionary, i.e. the Council *may* do something, rather than it *must* do something. The exercise of these powers may be subject to various consents, from, for example, the owner of land or another public body such as the highways authority. Almost all the Town Council's powers are concurrent with those of Rushcliffe Borough Council, i.e. the power may be exercised by either Council.

2.3 The Town Council has the unfettered right to raise money by precept (a mandatory demand) on Rushcliffe Borough Council. The precept required by the Town Council is then collected by the Rushcliffe Borough Council as part of the council tax levied on council taxpayers in Bingham.

2.4 The Town Council acts as a sounding board for local opinion and has important rights of consultation. Nottinghamshire County Council and Rushcliffe Borough Council are each obliged by law to consult the Town Council on certain matters affecting the Town.

2.5 The range of services and amenities provided by the Town Council is a matter entirely within its discretion and although a few functions are a legal requirement (known as a "statutory duty") the Council still has discretion to determine how it fulfils such requirements. The Town Council plays an important role in maintaining and improving local services and facilities, supporting local voluntary organisations and activities and influencing and lobbying on local development and other issues.

3 Obligations

3.1 There are certain obligations that by law Bingham Town Council must fulfil. For example:

a. It must hold an annual meeting
b. It must hold at least three other council meetings a year
c. It must appoint such officers as it believes necessary for the proper discharge of its functions

d. It must make standing orders for the supply of goods and services to the Council
e. It must keep minutes of its meetings in a book kept for that purpose
f. It must give adequate public notice of meetings and the meetings must be open to the public apart from when a confidential matter is being considered

3.2 The arrangements for meetings and proceedings of Local Councils are set out in Part II of Schedule 12 to the Local Government Act 1972, as supplemented by the Council's Standing Orders.

4. Services

4.1 The Town Council currently provides the following range of services:

- ☑ **Allotments**
- ☑ **CCTV** in the Town centre
- ☑ **Cemeteries**
- ☑ **Christmas light displays** in the Town Centre
- ☑ **Civic Traditions** – maintaining & promoting Hertford's historic civic traditions such a the civic awards
- ☑ **Closed Churchyard**
- ☑ **Consultations** – responses to any from other organisations, local & national
- ☑ **Entertainments** – provide and promote public entertainments and events such as the annual town fair and the Christmas fair
- ☑ **Function rooms** at the Old Court House Rooms for weddings & other social occasions, meetings etc
- ☑ **Grants** to local voluntary groups and organisations
- ☑ **Highways** – various activities with the Highways Authority
- ☑ **Partnerships** with other organisations with the aim of improving the social, economic and environmental wellbeing of Bingham
- ☑ **Planning** – representations on applications & development plans
- ☑ **Open Spaces** – maintain them for the benefit of local people
- ☑ **Play Areas** – Provide and maintain play areas in the town
- ☑ **Recreation and Sports Grounds** – Provide and maintain these areas
- ☑ **Representing** the Town's interests to other public service providers
- ☑ **The Old Court House** – maintain this important historical landmark on behalf of the Town

5. Who pays?

5.1 Money for services comes from the following sources:

- ☑ Income from fees and charges
- ☑ Grants – when available
- ☑ Specific reserves
- ☑ General balances
- ☑ Council tax.

5.2 Unlike Nottinghamshire County Council and Rushcliffe Borough Council, Bingham Town Council receives no income from business rates and its general expenditure is not subsidised through a government grant. There are no central government controls or "cap" on the Council's expenditure. This makes Bingham Town Council directly accountable to residents for the financial implication of its actions.

6. Who decides?

6.1 Every four years, voters in the Town elect 14 Town Councillors. They take all major decision in the full Council; or in a council committee or working group. Decisions are always collective and voted on unless they have been delegated to the Town Clerk. Sometimes those delegated decisions are taken in consultation with Councillors, for example a Committee Chairman or the Mayor.

7. The Council's job

7.1 The Town Council's role is to deliver its services to the people of Bingham in an open, transparent and cost-effective way; acting in the best interests of Bingham and its Citizens as a whole. This sometimes means that the 'greater good' is more important than individual or particular group's interests, but this is what democratic **local** government is all about. Taking those decisions, after listening to the community, is the job of the Town Councillors acting collectively as 'Bingham Town Council'.

8. How is the Council organised to carry out its job?

8.1 **The Council** – Can make all policy and other decisions within the powers given to a town council by law.

8.2 **Committees** – Can make decisions (resolved items) only on those issues the Council has delegated otherwise a Committee has to make a recommendation to Council – for example on policy issues.

8.3 The Council's Committees are:

- Community Committee
- Environment Committee
- Planning Committee
- Policy & Resources Committee
- Recreation & Cemetery Committee.

8.4 **Working Groups** – These can be appointed by any of the above and can be made up of councillors and officers. Representatives of other organisations may also be invited to sit on a working group. They are informal and will report to Council or a Committee on a specific, time limited, issue where more detail needs to be explored. Sometimes they are given delegated powers

8.5 **Officers** - Deliver the Council's services in line with policies or directions as determined by Councillors, collectively in Council, a committee or a working group. They can advise Councillors on policy issues and statutory requirements the Council has to meet. They carry out the day to day detailed management and delivery of the Council's services. By contrast Councillors look after the policy direction and other high level issues and they should ensure, through the formal framework, that the officers are working in line with those policies and should hold them to account for their actions.

Document 1.2

RESIDENTS AND THE COUNCIL

Adopted November 2013

1. Bingham Residents have the following rights:

1.1. Voting

Residents on the electoral roll for Bingham Town Council's area have the right to vote at elections for Town Councillors. These are usually held every four years in May and are organised by the Returning Officer at Rushcliffe Borough Council – the next elections are due in 2015. Sometimes a vacancy may occur. Notice is published by the Council and, unless ten or more electors request the Returning Officer to organise an election, the Council may fill the vacancy by co-option.

1.2. Information – Residents have the right to:

1. Attend meetings of the Council, its Committees and Sub-Committees, except during items where confidential information is likely to be disclosed (then the meeting is held in private)

2. Access information as detailed in the Council's Publication Scheme

3. Inspect the Council's minutes

4. Inspect the Council's accounts when they are made available for public inspection prior to submission to the Council's external auditor and make their views known to the external auditor.

1.3 Participation and Consultation

Residents have the right to participate in Council meetings. Details of how this can be exercised are set out in the Council's Standing Orders.

Residents may be consulted on significant issues, on either a local or Town wide basis, depending on the nature of the matter and its relative effect on the community. The Council is not a large organisation and any consultation arrangements will be proportionate to the Council's capabilities and capacity.

1.4 Complaints

Residents have the right to complain to:

1. The Town Council, under its Complaints Procedure. In the first instance, a complaint should be made to the Town Clerk or the Mayor.

2. Residents' responsibilities

2.1 Residents are expected to conduct themselves in a reasonable manner, in line with normally accepted standards in society, when they deal with Councillors or Officers and, in particular, when they attend any meetings of the Council, its Committees or Sub Committees.

2.3 The principles behind this expectation are:

- due respect for the rights and opinions of others
- non-confrontational behaviour

- respect at all times for the decisions on conduct and procedure in the meeting, from the person chairing that meeting a willingness to listen, as well as an expectation of being listened to, in a way that is both constructive and supportive.

Document 2.1

STANDING ORDERS

These Standing Orders provide procedures and controls for the management of Council business. Basic arrangements are contained in Schedule 12 of the Local Government Act 1972. Standing Orders should be seen as an aid to proper and effective governance. Over regulation can be an impediment.

References to the Chairman/Mayor in these Standing Orders include the Deputy Chairman/Deputy Mayor and any other Councillor when acting as Chairman/Mayor.

Adopted November 2013

Introduction

These Standing Orders contain two major sections.

Section 1 sets out the Council's formal Standing Orders. These are based on the model produced by the National Association of Local Councils in 2002. Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament and the text is printed in bold type. Those Standing Orders cannot be altered.

It is, of course, recognised that local councillors and staff can be male or female. Therefore, wherever the masculine gender is used, this should be interpreted as also meaning the feminine gender, where appropriate.

References to "Chairman" should be interpreted as a referring to the Town Mayor or whoever is presiding at a meeting.

The Appendix contains guidance notes for those presiding at meetings and a source to which to refer when there is a procedural difficulty during a meeting.

Finally, Section 2 includes the Statutory Code of Conduct that all Members are obliged to follow.

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SECTION 1 – THE FORMAL STANDING ORDERS

1. Meetings

1.1 Meetings of the Council shall be held at 7pm unless the Council otherwise decides at a previous meeting.

2. The Annual Council Meeting

2.1 In an election year the Annual Town Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and

2.2 in a year which is not an election year the Annual Town Council Meeting shall be held on such day in May as the Council may direct.

3. Other Council Meetings

3.1 In addition to the Statutory Annual Town Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

4. Chairman of the Meeting

4.1 The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

5. Proper Officer

5.1 Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer:

To receive declarations of acceptance of office.
To receive and record notices disclosing interests at meetings.
To receive and retain plans and documents.
To sign notices or other documents on behalf of the Council.
To receive copies of bylaws made by another local authority.
To certify copies of bylaws made by the Council.
To sign and issue the summons to attend meetings of the Council.
To keep proper records for all Council meetings.

6. Quorum of the Council

6.1 Five members shall constitute a quorum at meetings of the Council.

6.2 If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

6.2 For a quorum relating to a committee, please refer to Standing Order 25.4.

7 Voting

7.1 Members shall vote by show of hands.

7.2 **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**

7.3 **Subject to 7.4 and 7.5 below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**

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

7.5 **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

8 Order of Business – Annual Council Meeting

8.1 **At each Annual Town Council Meeting the first business shall be:**

a) **To elect a Town Mayor**

b) **To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received**

c) **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations**

d) **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received**

e) To elect a Deputy Town Mayor

f) To receive the Deputy Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received

g) To appoint representatives to outside bodies

h) To appoint committees

and shall thereafter follow the order set out in the Standing Order 9

9 Order of Business – Other Council Meetings

9.1 **At every meeting other than the Annual Town Council Meeting the first business shall be to appoint a Chairman if the Town Mayor and Deputy Town Mayor be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct**

as are required by law to be made or, if not then received, to decide when they shall be received.

9.2 After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

a) To receive the Town Mayor's announcements.

b) To receive petitions and refer to relevant committee without any immediate debate.

c) To read and consider the Minutes provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.

d) After consideration to approve the signature of the Minutes by the person presiding as a correct record.

e) To deal with business expressly required by statute to be done.

f) To dispose of business, if any, remaining from the last meeting.

g) To answer questions from Councillors on matters arising from the previous minutes.

h) To receive and consider reports and minutes of committees.

i) To receive and consider reports from Officers of the Council, Rushcliffe Borough Councillors and representatives on outside bodies.

j) To receive and consider resolutions or recommendations in the order in which they have been notified.

k) To receive such communications as the person presiding may wish to lay before the Council..

l) To authorise the sealing of documents

m) If necessary, to authorise the signing of orders for payment.

n) To consider any other items specified on the Agenda.

o) There will be a period, not exceeding 20 minutes during each Full Council meeting, when members of the public may ask questions and make observations to the Town Council.

p) In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 21 must be read in conjunction with this requirement.

10 <u>Urgent Business</u>

10.1 A motion to vary the order of business on the ground of urgency:

a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and

b) Shall be put to the vote without discussion.

11 Resolutions Moved On Notice

11.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Council.

11.2 The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

11.3 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.

11.4 If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

11.5 If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

11.6 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties or which affects its area.

12 Resolutions Moved Without Notice

12.1 Resolutions dealing with the following matters may be moved without notice:

a) To appoint a Chairman of the meeting.
b) To correct the Minutes.
c) To approve the Minutes.
d) To alter the order of business.
e) To proceed to the next business.
f) To close or adjourn the debate.
g) To refer a matter to a committee.
h) To appoint a committee or any members thereof.
i) To adopt a report.
j) To authorise the sealing of documents.
k) To amend a motion.
l) To give leave to withdraw a resolution or amendment.
m) To extend the time limit for speeches.

n) To exclude the press and public. (see Order 36 below)
o) To silence or eject from the meeting a member named for misconduct. (see order 33 below)
p) To give the consent of the Council where such consent is required by these Standing Orders.
q) To suspend any Standing Order. (see Order 42 below)
r) To adjourn the meeting.

13 Formal Questions

13.1 A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided 7 clear days notice of the question has been given to the person to whom it is addressed.

13.2 No questions that are not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions.

13.3 Every question shall be put and answered without discussion.

13.4 A person to whom a question has been put may decline to answer.

14 Rules of Debate

14.1 No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

14.2 A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.

14.3 A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.

14.4 A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.

14.5 No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 5 minutes except by consent of the Council.

14.6 An amendment shall be either:

a) To leave out words.
b) To leave out words and insert others
c) To insert or add words.

14.7 An amendment shall not have the effect of negating the resolution before the Council.

14.8 If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.

14.9 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

14.10 The mover of a resolution or of an amendment shall have a right of reply, not exceeding 5 minutes.

14.11 A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

14.12 A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.

14.13 A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

14.14 When a resolution is under debate no other resolution shall be moved except the following:

a) To amend the resolution.
b) To proceed to the next business.
c) To adjourn the debate.
d) That the question be now put.
e) That a member named be not further heard.
f) That a member named leaves the meeting.
g) That the resolution be referred to a committee.
h) To exclude the public and press.
i) To adjourn the meeting.

14.15 A member shall stand when speaking unless permitted by the Chairman to sit.

14.16 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

14.17 Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.

14.18 Whenever the Chairman speaks during a debate all other members shall be silent.

15 Closure

15.1 At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Chairman shall put the motion but, in the case of a motion "that the question be now put", only if he is

of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

16 Disorderly Conduct

16.1 **All members must observe the Code of Conduct which was adopted by the council in June 2012** a copy of which is set out in Section 3.

16.2 No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

16.3 If, in the opinion of the Chairman, a member has broken the provisions of paragraph 16.2, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

16.4 If either of the motions mentioned above is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

17 Right of Reply

17.1 The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

18 Alteration of Resolution

18.1 A member may, with the consent of his seconder, move amendments to his own resolution.

19 Rescission of Previous Resolution

19.1 A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least 5 members of the Council.

19.2 When a special resolution or any other resolution moved under the provisions of paragraph 19.1 has been disposed of, no similar resolution may be moved within a further six months.

19.3 This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a Committee

20 Voting On Appointments

20.1 Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

21 Discussions and Resolutions Affecting Employees of the Council

21.1 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Order No. 36)

22 Resolutions on Expenditure

22.1 Any resolution (which is moved otherwise than in pursuance of a recommendation of the Policy and Resources Committee) and which, if carried, would, in the opinion of the Town Mayor, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Policy and Resources Committee shall report on the financial aspect of the matter).

23 Orders for Payment

23.1 Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

24 Sealing of Documents

24.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

24.2 The Council's Common seal shall alone be used for sealing documents. It shall be applied by the proper officer in the presence of two members who shall sign the document as witnesses.

25 Committees

25.1 The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting., and

b) may subject to the provisions of Standing Order 19 above at any time dissolve or alter the membership of committee.

c) In the event a Planning Committee member is unable to attend a meeting a substitute member is permitted to be appointed for that particular meeting to ensure the meeting is quorate.

25.2 The Town Mayor and Deputy Town Mayor shall be voting members of every committee.

25.3 Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and a Vice-Chairman who shall hold office until the next Annual Meeting of the council.

25.4 Except where ordered by the Council, the quorum of a committee or sub-committee shall be one-half of its members.

26 Special Meetings

26.1 The Chairman of a committee or the Town Mayor may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

27 Working Groups

27.1 Every committee may appoint working groups for purposes to be specified by the committee.

27.2 The Chairman and Vice-Chairman of the committee shall be members of every working group appointed by it unless they signify that they do not wish to serve.

27.3 Each working group shall submit a written report of its activities to the next appropriate meeting of its parent committee.

28 Voting in Committees

28.1 Members of committees entitled to vote, shall vote by show of hands

28.2 **Chairmen of committees shall in the case of an equality of votes have a second or casting vote.**

29 Presence of Non-Members of Committees at Committee Meetings

29.1 A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

30 Accounts and Financial Statement

30.1 Except as provided in paragraph 30.2 or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

30.2 Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency

by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Town Mayor or Deputy Mayor.

30.3 All payments ratified under sub-paragraph 30.2 shall be separately included in the next schedule of payments before the Council.

30.4 The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of June. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of September.

31 Estimates & Precepts

31.1 The council shall approve written estimates for the coming financial year at its meeting before the end of the month of January

31.2 Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than 31 December.

32 Interests

32.1 If a member has a personal interest as defined by the Code of Conduct adopted by the Council on June 2012 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

32.2 Subject to Paragraph 12 of the Code of Conduct (see Section 3), if a member who has declared a personal interest then considers the interest to be

32.3 prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

32.3 The Clerk shall compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

32.4 If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure.

32.5 The Clerk shall make known the purpose of Standing Order 32.4 to every candidate.

33 Canvassing of and Recommendations by Members

33.1 Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.

33.2 A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

33.4 Standing Orders 32.4, 32.5, 33.1, and 33.2 shall apply to tenders as if the person making the tender were a candidate for an appointment.

34 Inspection of Documents

34.1 A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy (subject to legal restrictions).

34.2 All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

35 Unauthorised Activities

35.1 No member of the Council or of any committee shall in the name of or on behalf of the Council:

a) Inspect any lands or premises which the Council has a right or duty to inspect; or
b) Issue orders, instructions or directions

unless authorised to do so by the Council or the relevant committee.

36 Admission of The Public and Press to Meetings

36.1 The public and press shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude the public by means of the following resolutions:

"That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be excluded and they are instructed to withdraw"

36.2 At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.

36.3 The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. There

shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

36.4 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that person to be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

37 Confidential Business

37.1 No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

37.2 Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

38 Liaison with County and District Councillors

38.1 A summons and Agenda for each full council meeting shall be sent, together with an invitation to attend, to the County and Borough Councillor for the appropriate division or ward.

38.2 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or Borough Council shall be transmitted to the County Councillor for the division or to the Borough Councillors for the ward as the case may require.

39 Planning Applications

39.1 The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:

(a) the date on which it was received
(b) the name of the applicant
(c) the place to which it relates.

40 Financial Matters

40.1 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

40.2 Such Regulations shall include detailed arrangements for the following:

a) the accounting records and systems of internal control;
b) the assessment and management of risks faced by the Council;
c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
d) the financial reporting requirements of members and local electors and

e) procurement policies (subject to 40.3 below) including the setting of values for different procedures where the contract has an estimated value less than £10,000.

40.3 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £10,000 shall be procured on the basis of a formal tender as summarised in 40.4 below.

40.4 Any formal tender process shall comprise the following steps:

a) a public notice of intention to place a contract to be publicised in the same manner as public notice of meetings is given and where the estimated value of the contract exceeds £50,000, a similar notice to be placed in a local newspaper;
b) a specification of the goods, materials, services and the execution of works shall be drawn up;
c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

40.5 The Council, and any Committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 59, 60 & 62 regarding improper activity.

40.6 The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

41 Complaints

41.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board (England) for consideration.

42 Variation, Revocation and Suspension of Standing Orders

42.1 Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

43 Standing Orders to be Given to Members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

APPENDIX – GUIDANCE NOTES

CHAIRMANSHIP

NOTE: the word "Chairman" means the person actually presiding at a meeting and "Council" includes "committee," where any function has been delegated.

BASIC PRINCIPLES

1. The officers and agents of the Council must act as the Council's executive and carry out its decisions. They cannot do this properly unless they have instructions which they can understand.
2. It is the primary, if not the only, function of the Council to frame instructions upon which people can act; even a decision to take no action, is such an instruction.
3. The Council's instructions are conveyed by resolutions and it is the purpose of the Council's proceedings to *reach, without unreasonable delay, an intelligible and lawful decision for the right reasons.* The whole duty of a Chairman is to ensure that this purpose is achieved and to this end he must:-

   (a) protect the Council against *outside interference;*
   (b) ensure that everything to be discussed is *lawful;*
   (c) ensure that the Council is invited to deal with *clear issues;*
   (d) ensure that as far as possible *information is complete;*
   (e) permit every point of view to have a *fair hearing;*
   (f) ensure that opinions expressed are *relevant* to the matter in hand;
   (g) ensure that business is transacted with *reasonable speed;*
   (h) ensure as far as possible that proceedings are *courteous* and *free from personalities;*
   (i) co-operate with the officers and councillors.

THE AUTHORITY OF THE CHAIR

Origin

4. The office of Chairman of a local authority is created by statute, which has conferred upon the occupant of the chair a second or casting vote on all occasions but one. The scope of his authority, however, depends upon ancient customs which are perfectly logical and arise from the necessities of the case.

Nature and Limitations

5. Whether or not the Council has passed any standing orders, the Chairman's procedural authority is derived from the Council as a whole and an individual councillor must obey his rulings because they are the rulings of the Council itself. It follows from this, however, that the Chairman cannot overrule the Council and that a councillor who is dissatisfied by the Chairman's ruling may invite the Council to disagree with it. Such appeals against the chair ought to be very rare.

6. The authority of the Chairman, as such, is limited to matters of procedure and neither increases nor decreases his right (in comparison with other members) to discuss the merits of a particular case. It is one of his most difficult tasks to remember that, while the Chair gives him authority on matters of procedure, it

confers no rights (other than the casting vote) on matters of policy above those possessed by other members.

PRELIMINARY ISSUES

7. Before any meeting, the Chairman should study the items on the agenda with either the Clerk or any other officers, and should in effect ask in respect of each item the following questions:-

   What does it mean?
   Is it lawful?
   Do we know enough about it?
   Has any member special knowledge of this problem?
   Is there any member who may have a prejudicial interest?

OUTSIDE INTERFERENCE

Public Disturbances

8. No one is entitled to interrupt or obstruct the proceedings of the Council or its committees. In general it is best to stop an interruption at once before the habit spreads to the rest of the audience; and though he will naturally not wish to be rude, the Chairman should cut an interrupter short, and if good humour and conciliation fail to produce silence he may have to warn him that he will be turned out if he does it again; if the warning is ignored it should be resolved, without discussion, that the interrupter be excluded, and if he fails to leave he should be removed by force. Care should be taken to use no more force than necessary. It is not essential to call the police, but maybe necessary.

9. The Chairman should never argue or allow argument with an interrupter. If the public becomes disorderly it may eventually be necessary to close the meeting or to adjourn to a more private place. It is, however, illegal to decide to exclude the public from any future meeting. The press is in a privileged position inasmuch as its representatives must so far as possible be given facilities for taking their reports.

Rulings on notices

10. The Chairman must be satisfied that the meeting is lawful. He does not need to have personal knowledge that the proper notices and summonses have been issued, but if complaints are made he must give a ruling based upon the essential justice of the matter. A meeting is not necessarily illegal because someone has not received a notice to which he is entitled, but where an irregularity appears to be intentional or important the meeting should be adjourned until it has been corrected.

Quorum

11. No business can be transacted if no quorum is present. This rule applies not only to cases of physical absence but to cases of disqualification by interest. A situation may, therefore, sometimes arise where the Council cannot act because it is impossible to obtain a disinterested quorum. In such a case the Chairman

should adjourn the matter until it can be next dealt with. Those members with a prejudicial interest (England) or a personal interest requiring withdrawal (Wales) should consider making an application for dispensation to their standards committee where appropriate.

Ultra Vires Proposals

12. The Chairman should satisfy himself that any proposal involving expenditure is lawful and should rule any unlawful proposal or amendment out of order. Where there is any doubt, advice should be sought well before the meeting and in time to delete it, if necessary, from the agenda. The section 137 power (*contained in the Local Government Act 1972)* is not a "long stop" in case of a mistake; expenditure under this heading requires a special resolution, related to the provisions of that section.

A CLEAR ISSUE

13. *Every* decision of the Council must be made by an affirmative vote of a majority of those present and voting (including, where necessary, the Chairman's second or casting vote). The members must, therefore, know exactly what they are being asked to decide and each proposition must be put to them in a form which can be answered by a simple "Yes" or "No". From this there follow certain practical consequences:-

(a) All motions should be affirmative in form; it is never necessary to move that a resolution be rejected;

(b) Where there is more than one solution to a problem each solution must be separately put to the vote.

The affirmative Form

14. The most exact method of putting a question to the vote is by the use of the following formula:-

"The resolution is as follows: -

(e.g.) 'That the Clerk's salary be raised to £5,000 a year.'

The motion is that this resolution be agreed to."

(Note: A *resolution* is a proposal of the action intended to be taken: for example "That the Council buy a mower". A *motion* is the procedural formula by which the Council disposes of business: for example "The motion is that the resolution be amended by "or "The motion is that the Council do now adjourn".)

Separating the Issues

15. In attempting to reach a decision a Council may from time to time be faced with alternative solutions. Some alternatives may be mutually exclusive; others may be matters of detail subsidiary to the principal issue.

16. Where the alternatives are mutually exclusive it may be desirable in the first instance to discuss the resolutions embodying them together until the general trend of opinion is apparent and then to put one of them in the form of an

amendment to the other; for instance, if a Council considers that it can afford either a swimming pool or a new playing field but not both, a decision to provide the one in practice excludes the other. Therefore, the resolution on behalf of each should be discussed together and the issue at this stage may be informally stated thus:-

"If the Council is to spend its money would it prefer a swimming pool or a playing field?"

In more formal language the issue is put to the vote by substantive resolution and amendment: -

"The resolution is that the swimming pool be provided. To this the following amendment has been moved: -

leave out the words 'swimming pool' and substitute the words 'new playing field.'

The motion is that this is amendment be agreed to."

18. A vote on an amendment does not end the matter: it merely decides what shall be discussed next. Thus, in the example, if the amendment is carried, all further discussion of the swimming pool becomes out of order, but the Council has yet to decide whether the major operation shall be carried out at all. This is done by putting *the resolution as amended to the vote. (See also paragraph 35 below.)*

METHOD OF VOTING

19. The rules on the manner in which decisions are taken are peremptory and admit of no exceptions. Every decision must be reached by a majority of those voting. Appointments to employments must be decided in the same way as other questions.

COMPLETENESS OF INFORMATION

20. Sensible decisions cannot be reached without reasonably complete information, which it is usually the duty of the clerk to supply. The Chairman should before the meeting consider whether enough information is available or likely to be made available, and at the meeting he should make a point of asking a member with special knowledge to give his opinion. If it appears at the meeting that information is still insufficient he should move to adjourn consideration until more is known, and sometimes it may be desirable to frame questions and to instruct the clerk to obtain the answers by a specified date.

IMPARTIALITY

21. When differences of opinion develop in discussion it is the duty of the Chairman to give a fair hearing to all points of view including his own, if he has one. It is not his duty as Chairman to suppress his own convictions nor his privilege to impose his opinions. Experience has shown that the safest and least controversial course is for the Chairman to call upon speakers for and against a proposal to speak alternately and himself to avoid speaking first or last.

22. Some people are better at putting a case than others and the Chairman ought to allow reasonable latitude to the less eloquent. For this reason mechanical rules of debate limiting, for instance, the time allowed for a speech or the number of times a member may speak, are undesirable, and the Chairman should have some latitude in applying them, especially in a Council with a small membership.

RELEVANCE

General Rule

23. A speech must be directed to the point under discussion and nothing else. This rule is easy to state, but not always easy to apply fairly, because the relevance of what is being said may be understood by the speaker before it is grasped by the listener; whilst the rule should not be made a cover for "barracking from the chair" it is probably true that if Chairmen enforced it more strictly, business would be much more quickly and efficiently conducted than is often the case, and many unnecessary arguments and even some quarrels would be avoided. Bad feeling originates in irrelevancies more often than in any other way. On the other hand, it is sometimes advantageous to allow irrelevance in order to "clear the air". Too harsh suppression can breed ill will and a sense of grievance.

Personalities

24. The Chairman should do his best to prevent observations in discussion; the custom whereby the speeches are in a form addressed to the Chairman, should only be observed because it forces members to employ an impersonal mode of expression. If a member makes an offensive personal observation, the Chairman should immediately intervene to seek immediate apology to an offended member.

Methods of Enforcement

25. Where a speech is obviously irrelevant the Chairman should stop the speaker and invite him to return to the point or sit down. Where the irrelevance is not quite so obvious the Chairman may often find it convenient to ask the speaker to explain how his remarks relate to the issue.

Revival of Decided Issues

26. The Chairman should not allow a matter that has been decided to be reopened at the same meeting. An attempt to "hark back" to a previous agenda item should be firmly ruled out of order as irrelevant to the matter *now* under discussion, even if the member who raises it was not present when the item was considered.

Minutes

27. One of the commonest irrelevances is the practice of attempting to discuss the merits of what is contained in the minutes, on a motion for their signature as a correct record. On such a motion the only issue is whether the words of the minutes accurately record the events at the meeting of which they are a record.

Other Problems

28.

(a) If any substantial issue arises on a matter dealt with in the Minutes, it is better to have a separate agenda item than to discuss it under "Matters Arising". That heading should be used only for reports of progress, and not for new or additional decisions.

(b) Letters received by the Council should not be read out verbatim: this provokes irrelevant discussion on wording and is liable to lead to misunderstanding by the public. On the very rare occasions that the exact text is needed by every councillor the clerk should issue copies. Normally it is sufficient to report the main issue in the letter: for example "Mrs Smith of _____has written asking the Council to get the pile of rubbish removed from outside 48 _____Lane".

REASONABLE DESPATCH

Intervals

29. It is important that business should be transacted with reasonable speed. Long meetings bore the members and so reduce the level of attentiveness and public spirit, and long intervals between meetings lead to missed opportunities and lack of continuity. A Local Council cannot expect to be consulted regularly by other bodies such as the County or District Council if it does not answer letters reasonably promptly. The Chairman ought not to hesitate to call special meetings in necessary cases; the greater the interval between regular meetings the more ready he should be to call them. The right of Local Councils to be notified of planning applications makes this especially important.

Obstruction at Meetings

30. Deliberate obstruction is rare, but must be firmly dealt with when it occurs. It is difficult to be directly obstructive for long without being irrelevant, and therefore deliberate obstruction sometimes takes the form of raising a succession of points of order. In dealing with this type of obstruction it is well to remember that a point is not necessarily a point of order because the person who makes it labels it as such. *(For points of order see paragraph 33 below.)*

Repetition

31. If it is evident that nothing new can be said on either side in a particular discussion, a Chairman is justified in putting the matter to the vote even though there are still members wishing to speak. Usually, however, the state of affairs is not so clear and in such cases the Chairman should ask leave of the Council to put the matter to the vote.

References

32. All deliberative bodies have a natural tendency to refer questions to someone else (e.g. an officer or a committee) for consideration or report. These are frequently unnecessary because they are often used only when a Council is unwilling to make a final decision.

SOME PROCEDURAL POINTS

Points of Order

33. Points of Order relate to procedure only and take precedence of all other business; it is the duty of the Chairman to deal with them. If a point relates to the substance of a matter under discussion it is not a point of order and should be ruled out of order by the Chairman. The person raising the matter of substance in this way should be told to save it for his speech on the business. For instance, if the provision of a swimming pool is being discussed and someone interrupts the speaker by saying "On a point of order, can we afford it?" the interruption should be ruled out of order because this is not a procedural question. It is part of the merits of the business and must therefore be decided by discussion. The person interrupted may of course answer the point when he continues his speech or ignore it as he thinks appropriate. If, however, the interruption had been "On a point of order, have we power to do this?" the Chairman (in consultation with the clerk) must give a ruling the answer is "No", the Council has no power to act as proposed and the business ought not to be under discussion.

Procedural Resolutions

34. Procedural resolutions should normally be put without discussion. The usual exceptions are resolutions to (a) correct minutes, (b) alter the order of business (c) refer to committee.

Closure Motions

35. The following are the respective effects of closure resolutions:-

(a) On the passing of a resolution to proceed to *next business* proceedings on the business in hand come to a stop and no decision upon it can be taken.

(b) On the passing of a resolution that the *question be now put* the mover is usually entitled to reply before the matter is put to the vote. By custom the chairman may refuse to accept such a resolution until he thinks that the matter has been sufficiently debated.

(c) A resolution to *adjourn a discussion or a meeting* stops the discussion at the moment it is passed and no decision is taken on the business; therefore the discussion may later be resumed at the point where it was interrupted.

Amendments

36.

(a) An amendment, which in substance negates the principle resolution, should not be allowed because it is confusing and unnecessary.

(b) An amendment should always be put to the vote before the resolution that it seeks to amend. (See also paragraph 18 above.)

"Any Other Business"

37. The summons to a meeting of a Local Council must by law *specify* the business to be transacted; a Local Council cannot legally decide to take any action under the general heading of "any other business" because these words do not specify any item of business. The rule prevents the Council deciding any business which will have either expenditure consequences or lead the Council into a legal situation: for example by making a contract. There is no practical objection to

exchanges of information under "A.O.B." or the giving of a preliminary notification of important business for next time.

"Urgent" Business

38. The law makes no provision for dealing with "urgent" business. If it is "urgent" only because it was not notified in time to appear on the agenda, it should be left till the next meeting. If it is genuinely "urgent", that is it was too late for the agenda *and* it will be too late for action if left till the next ordinary meeting an additional meeting should be called *or* the Council should have a regular arrangement for the reference of such matters either to a committee or to the clerk for action. It is contrary to local government law for the Chairman or any other single member to take a decision binding the Council.

USE OF CHAIRMAN'S VOTES

39. Save on one occasion the Chairman has both an ordinary and a casting vote. There is no rule of law which requires him to give his ordinary vote at the same time as the other members are voting, and it is obviously undesirable and undignified for him to wait and then say "the voting is 5 to 4 against; I therefore vote in favour which makes it even."

40. Where there is an equality of votes a Chairman may be faced with an embarrassing problem. A resolution requires a majority and therefore, since equality is not majority, he may declare the resolution *not* carried. This course is, however, sometimes regarded as irresponsible or lacking in courage; in such circumstances the Chairman ought to give a casting vote, if at all possible, in such a way that the matter can be considered again; for instance, on a motion to accept a particular tender a vote in favour will conclude the matter, but a vote against will leave the way open for further negotiations or reconsideration.

PRESENCE OF THE PUBLIC AND PRESS

41. In principle, the public (which includes the press) is entitled to be present at all meetings of the Council and its committees, and ought to be admitted to sub-committees. The Council or a committee, however, may exclude the public for a particular item of business, if it is opinion that such exclusion is reasonable and in the public interest. Where the public and Press have been excluded the *decisions* made in the closed session must be minuted: a record should be kept of who was present at the session: the Press should be told of any decision. Business is 'confidential' if its discussion *must* be kept secret: it is 'special' and the reasons for secrecy must be stated in any case where the need for secrecy is not obvious.

MALADMINISTRATION

42. Parish and Community Councils are not subject to the jurisdiction of the Local Ombudsman. There is, therefore, no outside body that can adjudicate on complaints about the procedures of a Local Council if the law has not been broken. It is, however, important for the good name of the Council that complaints be handled properly and fairly. The National Association has therefore published *National Circular 2/86 – Code of Practice in Handling Complaints,* which recommends a standard and formal procedure to all Councils. In light of the Local Government Act 2000, Councils are recommended to agree,

with their Standards Committee, a form of complaint procedure for matters falling outside the jurisdiction of the Standards Board.

PUBLIC PARTICIPATION

43. The public cannot, of course, take part in the proceedings of the Council, but an increasing number of Councils have created and sustained public interest in their work by arranging for a short period in meetings (say 20 to 30 minutes) when members of the public are permitted to put questions to the Council or to make observations. Such periods can be either during the meeting (by adjournment) or at its end.

LENGTH OF MEETINGS

44. Experience suggests that a meeting should never be allowed to continue for more than two hours without a break. Some organisations embody this idea in a Standing Order. This has not been done here, but councillors may well find it advantageous to establish a custom.

SECTION 2 – CODE OF CONDUCT

Member Code of Conduct

You are a Member or Co-opted Member of Bingham Town Council and as such are committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

Accordingly, when acting in your capacity as a Member or Co-opted Member –

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

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

iii. When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit

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

v. You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions

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

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

viii. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example

ix. You must have regard to any relevant advice provided to you by the Council's Town Clerk and Rushcliffe Borough Council's Monitoring Officer, Section 151 Officer and Chief Executive where they are acting pursuant to his or her statutory duties.

x. You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-

   a. You have the consent of a person authorised to give it
   b. You are required by law to do so
   c. The disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
   d. The disclosure is:
      i. Reasonable and in the public interest and
      ii. Made in good faith and in compliance with the reasonable requirements of the authority.

xi. Members must promote equality by not discriminating against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability

Registering and declaring pecuniary and non-pecuniary interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State (see attached Schedule), where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.[1]

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

[1] A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

SCHEDULE

Subject	*Prescribed description*
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992).
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Document 2.2

Committee Structure & Responsibilities

Adopted November 2013

1 Introduction

1.1.1 The Council appoints its committees at the annual council meeting under the provisions in Standing Order 25. At the 2013 annual council meeting the Council appointed five committees that have the following functions and responsibilities.

2 Community Committee

2.1 All matters appertaining to 'social' and 'community' life not covered by other committees, such as liaison with police, youth issues, public services (but not transport), Bingham market, promotion of Bingham such as publicity, tourism, publication of the town map, guides, local events, Christmas decorations, newsletter, website etc.

2.2.1 Responsible for funds held in the Community budget and recommendations to the Policy & Resources Committee on capital expenditure.

2.2.2 The Committee shall have four members plus the Town Mayor and Deputy Town Mayor. The Chairman to be elected at the first meeting following the Annual Council Meeting.

3 Environment Committee

3.1 All matters appertaining to 'physical' Bingham such as road, car parking, traffic movements, road safety, public transport, street lighting, litter problems, standards of maintenance, environmental improvements (including derelict areas), street furniture, tree planting, flower baskets, bulb planting, air quality, radon etc.

3.2 Responsible for funds held in the environment budget and recommendations to the Policy & Resources Committee on capital expenditure.

3.3 The Committee shall have four members plus the Town Mayor and Deputy Town Mayor. The Chairman to be elected at the first meeting following the Annual Council Meeting.

4 Planning Committee

4.1 Executive powers to make observations on planning applications (development control matters) received from Rushcliffe Borough Council, with the proviso that when major developments proposals are on the agenda, all members of the council should be invited to attend. Also responsible for the naming of roads. Strategic matters such as the local plan or trunk roads are to be directed to the Council for consideration.

4.2 Responsible for funds held in the Planning budget and recommendations to the Policy & Resources Committee on capital expenditure.

4.3 The Committee shall have six members plus the Town Mayor and Deputy Town Mayor. The Chairman to be elected at the first meeting following the Annual Council Meeting.

4.4 In the event a Committee member is unable to attend a meeting a substitute member is permitted to be appointed for that particular meeting to ensure the meeting is quorate.

5 Policy & Resources Committee

5.1 Responsible for:

- Approval of committee budgets and issue of precept
- Finance and approval of capital programme and expenditure
- Finance and consideration of application of grants from the 'free resource'
- Payment of accounts, wages and salaries
- Statement of accounts at half year, end of year and balance sheet
- Terms and conditions of employment for employees
- Civic functions
- Management of the Old Court House, Town Office and meeting rooms
- Co-ordination of items affecting more than one committee
- The major issue of a community centre

5.2 Responsible for funds held in the Finance, Free Resource and Court House Budgets and co-ordination of, and approval for, recommendations on capital expenditure.

5.3 The Committee shall consist of the Chairman of the Community, Environment, Planning and Recreation & Cemetery committees plus the Town Mayor and Deputy Town Mayor. The Chairman to be elected at the first meeting following the Annual Council Meeting.

5.4 In the event of the Chairman of a Committee not being available to attend a meeting of the Policy & Resources Committee the relevant deputy should attend. If the deputy is a member of the Policy & Resources Committee by virtue of being the Chairman of another committee, another councillor may be nominated by the relevant committee chairman.

6 Recreation & Cemetery Committee

6.1 Management and development of playing fields, play areas, amenity areas, Linear Park, allotment gardens etc. Liaison with the Rugby Club in respect of the Town Pavilion. Matters relating to public footpaths (rights of way). Management and maintenance of the Cemetery and Depot.

6.2 Responsible for funds held in the Recreation, Allotments and Cemetery budgets and recommendations to the Policy & Resources Committee on capital expenditure.

6.3 The Committee shall have four members plus the Town Mayor and Deputy Town Mayor. The Chairman to be elected at the first meeting following the Annual Council Meeting.

7 Working Parties

7.1 At the first meeting of each committee following the Annual Council Meeting any working parties reporting to a committee shall be reviewed. A positive written brief should be agreed with a target date to produce a written report of their investigations and recommendations to the relevant committee of the Council.

Document 2.3

Financial Regulations

Adopted November 2013

1. General

1.1 These financial regulations shall govern the conduct of the financial transactions of the council and may only be amended or varied by resolution of the council.

1.2 The clerk shall be the responsible financial officer (R.F.O.), and, under the policy direction of the Policy & Resources Committee (P. & R. Committee), shall be responsible for the proper administration of the council's financial affairs.

1.3 The R.F.O. shall be responsible for the production of financial management information.

2. Annual Estimates

2.1 Each committee shall formulate and submit proposals to the P. & R. Committee in respect of revenue services and capital projects for inclusion in the rolling capital programme not later than the end of November each year.

2.2 Detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared each year by the R.F.O.

2.3 The P. & R. Committee shall review the estimates and submit them to the council not later than the end of January in each year, and shall recommend the precept to be levied for the ensuing financial year. The R.F.O. shall supply each member with a copy of the approved estimates.

2.4 The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

3. Budgetary Control

3.1 Expenditure on the revenue account may be incurred up to the amounts included in each approved committee budget.

3.2 No expenditure may be incurred which cannot be met from the amount provided in the appropriate committee revenue budget unless approved by the P. & R. Committee or the council.

3.3 The R.F.O. shall periodically provide the P. & R. Committee with a statement of income and expenditure to date under each head of the approved annual revenue and capital budgets.

3.4 The clerk may incur expenditure on behalf of the council which is necessary to carry out any repair replacement or other work which is of

such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,000. The clerk shall report the action to the appropriate committee as soon as practicable thereafter.

3.5 Where expenditure is incurred in accordance with regulation 3.4 above and the sum required cannot be met from savings made elsewhere within that committee's approved budget, it shall be met from the General Reserve and approved by the P. & R. Committee.

3.6 Unspent provisions in the revenue budget shall be carried forward to the General Reserve in the subsequent year.

3.7 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the committee concerned is satisfied that it is contained in the earmarked reserves programme and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.

3.8 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4. Accounting and Audit

4.1 All accounting procedures and financial records of the council shall be determined by the R.F.O. as required by the Accounts and Audit Regulations.

4.2 The R.F.O. shall be responsible for completing the annual accounts of the council as soon as practicable after the end of the financial year, and shall submit them to and report thereon to the P. & R. Committee.

4.3 The following principles shall be observed in connection with accounting duties:-

(a) The duty of providing information, calculating, checking and recording sums due to, or from, the council should be separated as completely as possible from the duty of collecting or dispersing them.

(b) Officers charged with the duty of examining and checking the accounts of cash transactions should not be engaged in any of those transactions.

4.4 The R.F.O. shall be responsible for maintaining an adequate and effective system of internal audit of the council's accounting, financial and other operations in accordance with the Accounts and Audit Regulations. Any officer or member of the council shall, if the R.F.O. requires, make available such documents of the council which relate to

their accounting and other records as appear to the R.F.O. to be necessary for the purpose of the audit, and shall supply the R.F.O. with such information and explanation as the R.F.O. considers necessary for that purpose.

5. Banking Arrangements and Cheques

5.1 The council's banking arrangements shall be made by the R.F.O. and approved by the P. & R. Committee. Accounts shall be maintained at a bank(s), a current account and higher rate deposit accounts as appropriate at time of investment.

5.2 A schedule of the payment of money shall be prepared by the R.F.O. and presented to the P. & R. Committee. If the schedule is in order, it shall be authorised by a resolution of that committee and signed by the chairman or vice-chairman.

5.3 Payments drawn on the bank account, in accordance with the schedule referred to in the previous paragraph, shall be signed by two members of the Council.

6. Payment of Accounts

6.1 Apart from petty cash payments, payments shall be effected by cheque or other electronic payments (eg. Bankline) on the council's bankers.

6.2 All invoices for payment shall be examined, verified and certified by the officer issuing the order. Before certifying an invoice, the officer shall satisfy himself that the work, goods or services to which the invoice relates, have been received, carried out, examined and approved.

6.3 Duly certified invoices shall be passed to the R.F.O. who shall examine them in relation to arithmetical accuracy and authorisation, and shall code them to the appropriate expenditure head. He shall take all possible steps to settle all invoices submitted and which are in order within thirty days of their receipt.

6.4 All duly certified invoices will then be entered on the schedule referred to in 5.2 above.

6.5 The R.F.O. may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the R.F.O. with a claim for reimbursement:-

(a) The R.F.O. shall maintain a petty cash float to a limit of £250.00 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

(b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

(c) Payments to maintain the petty cash float shall be shown separately on the schedule of the payment of money presented to the P. & R. Committee (under 5.2 above).

7. Payment of Salaries and Wages

7.1 The payment of all salaries and wages shall be made by the R.F.O. from the current account on a monthly basis from 1st April 2014 in accordance with the payroll records.

7.2 All time-sheets shall be certified as to accuracy by, or on behalf of, the clerk.

7.3 The current account shall not be overdrawn at the bank. Transfers to fund it shall be made from one or other of the council's Deposit Accounts.

8. Loans and Investments

8.1 All loans and investments shall be negotiated by the R.F.O. in the name of the council, and shall be for a set period of time in accordance with council policy. Changes to loans and investments should be reported to the P. & R. Committee at the earliest opportunity.

8.2 All investments of money under the control of the council shall be in the name of the council.

8.3 All borrowings shall be effected in the name of the council.

8.4 All investment certificates and other documents relating thereto shall be retained in the custody of the R.F.O.

9. Income

9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the R.F.O.

9.2 Particulars of all charges to be made for work done, services rendered or goods supplied, shall be notified to the R.F.O. and the R.F.O. shall be ultimately responsible for the collection of all accounts due to the council.

9.3 The council will review all fees and charges annually following a report of the clerk.

9.4 Any bad debts shall be reported to the P. & R. Committee.

9.5 All sums received on behalf of the council shall either be paid to the R.F.O. for banking or be banked by the officer collecting the money as directed by the R.F.O. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the R.F.O. considers necessary.

9.6 A reference to the related debt, or otherwise, indicating the origin of each cheque, shall be entered on the paying-in slip.

9.7 Every transfer of official money from one member of staff to another shall be signed for by the receiving officer.

9.8 Personal cheques shall not be cashed out of money held on behalf of the council.

10. Order for Work, Goods and Services

10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders issued shall be maintained.

10.2 Order books shall be controlled by the R.F.O.

10.3 All officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure, as far as reasonable and practicable, that the best available terms are obtained in respect of each transaction.

11. Contracts

11.1 Procedures as to the contracts are laid down in the council's standing orders as follows:

(a) Every contract, whether made by the council or by a committee, to which the power of making contracts has been delegated, shall comply with these standing orders, and no exception from any of the following provisions of these standing orders shall be made otherwise than by direction of the council or in an emergency by such a committee, as aforesaid, provided that these standing

orders shall not apply to contracts which relate to items (i) to (v) below:-

(i) for the supply of gas, electricity, water, sewerage and telephone services.

(ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.

(iii) for work to be executed, or goods or materials to be supplied which consist of repairs to, or parts for, existing machinery or plant.

(iv) for work to be executed, or goods or materials to be supplied which constitute an extension of an existing contract by the council.

(v) for goods or materials proposed to be purchased which are proprietary articles, and/or which are sold only at a fixed price.

(b) Where it is intended to enter into a contract for less than £10,000 but,

(i) exceeding £2,000 in value for the supply of goods or materials, or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a), the clerk shall invite quotations from at least three firms.

(ii) for expenditure of £2,000 or less in value, the chairman of the spending committee, or his appointed vice-chairman, together with the clerk or the duly authorised deputy, shall have executive power.

(c) when applications are made to waive standing orders relating to contracts to enable a tender to be negotiated without competition, the reason shall be embodied in a recommendation to the council.

(d) every exception made by a committee to which the power of making contracts has been delegated shall be reported to the council, and the report shall specify the emergency by which the exception shall have been justified.

(e) Such invitation to tender shall state the general nature of the intended contract, and the clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall, in addition, state that tenders must be addressed to the clerk and the last date by which such tenders should reach the clerk in the ordinary course of post. Each

tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed until the prescribed date for opening tenders for that contract.

(f) All sealed tenders shall be opened at the same time on the prescribed date by the clerk or the properly authorised deputy, in the presence of at least one member of the council.

(g) If less than three quotations are received for contracts valued above £2,000.00, or if all the tenders are identical, the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.

(h) The council shall not be obliged to accept the lowest or any tender.

12. Payments Under Contracts for Building or Other Construction Works

12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the R.F.O. upon authorised certificates of the architect or other consultants engaged to supervise the contract.

12.2 Where contracts provide for payment by instalments, the R.F.O. shall maintain a record of all such payments. In any case, when it is estimated that the total cost of work carried out under a contract, excluding fluctuation clauses, will exceed the contract sum by five per cent or more, a report shall be submitted to the appropriate committee.

12.3 Any variation to a contract, or addition to or omission from a contract, must be approved by the clerk or professional adviser in writing, the appropriate committee being informed where the final cost is likely to exceed the financial provision.

13. Stores and Equipment

13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

13.2 Delivery notes must be obtained in respect of all goods received into store, and goods must be checked as regard quality at the time delivery is made.

13.3. Stocks shall generally be maintained at the minimum levels consistent with operational requirements.

14. Properties and Estates

14.1 The clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the council. The R.F.O. shall ensure a

record is maintained of all properties owned by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held, in accordance with Regulation 4 (3) b) of the Accounts and Audit Regulations, 1996.

14.2 No property shall be sold, leased or otherwise disposed of without the authority of the council, save where the estimated value of any one item does not exceed £1,000.

15. Insurance

15.1 The R.F.O. shall effect all insurances and negotiate all claims on the council's insurers in consultation with the clerk.

15.2 The R.F.O. shall keep a record of all insurances effected by the council, and the property and risks covered thereby, and annually review it.

15.3 The R.F.O. shall be notified of any loss liability or damage or of any event likely to lead to a claim.

15.4 All appropriate employees of the council shall be included in a suitable fidelity guarantee insurance.

16. Risk Management

16.1 The Clerk, with the R.F.O., shall prepare and promote risk management policy statements in respect of all activities of the Council.

16.2 When considering any new activity, the Clerk and R.F.O. shall prepare a draft Risk Management policy for the activity and shall bring a draft addressing the legal and financial liabilities and Risk management issues that arise to Council for consideration, and, if thought appropriate, adoption.

17. Revision of Financial Regulations

17.1 It shall be the duty of the P. & R. Committee to review the financial regulations of the council from time to time and to make such recommendations to the council as the committee considers are required.

Document 2.4

BUDGET SUMMARY 2013/14

(The main items of activity)

Adopted November 2013
new budget set annually as per minutes

1. Introduction

1.1 To secure economy, efficiency and effectiveness a core activity for the Council is making and managing a proper budget that realistically forecasts expected expenditure and the means to meet it.

1.2 This includes keeping various matters under review, such as fees and charges, financial policies and the levels of reserves. The Council also needs to ensure proper cash flow management and put temporary balances to work in investments.

1.3 Progress against the approved budget is monitored regularly by Committees.

2. The Budget Cycle

2.1 The financial year in local government runs from 1st April to 31st March.

2.2 Work on next year's budget usually starts in the autumn with Committees reviewing budget requirements shortly before Christmas.

2.3 The budgeting process is co-ordinated by the Policy & Resources Committee. This Committee makes the final budget recommendations to a meeting of the full Council. This meeting is usually held in January or early February.

2.4 Expenditure that cannot be met from fees and charges or other income is met by Bingham's council taxpayers. This Council achieves this by levying a precept (making an instruction) on Rushcliffe Borough Council. That Council then includes Bingham Town Council's precept in the bills sent out to council taxpayers in late March.

Income	**£**
Allotments	1,000
Cemetery & Churchyard	5,000
Community	15
Depot	1,350
Environment	0
Finance	23,068
Old Court House	10,400
Promotion	5,000
Recreation	4,187
Total budgeted for income	**50,0220**

Expenditure	**£**
Allotments	1,375
Cemetery & Churchyard	4,280
Community	1265
Depot	70,500
Environment	7,090
Finance	122,100
Old Court House	25,850
Promotion	23,000
Recreation	25,175
Total budgeted for Expenditure	**280,635**

Document 2.5

ANNUAL TOWN MEETING

(Includes Guidance on conduct)

Adopted November 2013

1. The Legal Background

1.1. Under the Local Government Act 1972, the Annual Town Meeting must take place between 1 March and 1 June (both inclusive) in each year. It may not start before 6pm. The Annual Town Meeting is not the same as the Annual Council Meeting. The Town Council usually determines the actual date.

1.2. All town electors are entitled to attend and vote. Under The Public Bodies (Admission to Meetings) Act 1960, the public and the press may attend as well. To avoid confusion on voting, it is important to separate the "sheep" from the "goats".

1.3. The Mayor or, in his/her absence, the Deputy Mayor, must preside if present. If not, the meeting may appoint a chairman for the meeting.

1.4. At least seven days' public notice must be given. If the agenda includes any of the following items, fourteen days notice must be given:

(a) dissolution of the Town Council
(b) grouping the Town with another Parish.

1.5. The notice must specify the business to be done. It must be signed by the Mayor or any two Town Councillors or six electors may act as convenors.

1.6. The expenses are paid by the Town Council.

1.7. A few resolutions of a Town Meeting are necessary to or binding on the Town Council. These are:

(a) A resolution by a well-attended meeting requiring the Council to provide allotments, places an obligation on it to do so.

(b) Sometimes a trust instrument requires a resolution of the Town Meeting for some act of the Council as trustee.

1.8. No method of voting *at the meeting* is laid down. Any convenient method may be used, but a poll (i.e., a vote of the whole body of electors by ballot) may be claimed before the end of the meeting and must be held if demanded by *ten persons present,* or one-third of those present (whichever is the less), or if the Chairman consents. The poll is conducted by a returning Officer appointed by Rushcliffe Borough Council.

2. Agenda

2.1. It is important to frame the agenda so that everyone who has some public standing in the locality has an appointed time when he/she can tell the meeting what he/she is doing. The Town Council is responsible for the Agenda and publicising the meeting. This will usually be implemented by the Town Clerk after consulting with the Mayor and Deputy Mayor and others, as the Group considers appropriate.

2.2. The County Councillors and District Councillors should be invited to speak; there should be a report on the activities of the Town Council.

2.3. The trustees of local charities should be given their opportunity and so can representatives of such bodies as the Royal British Legion, the Women's Institute or the local sports clubs. This is an excellent opportunity for them to publicise their activities and their friends will be glad to support them.

2.4. A non-elector may always speak during a meeting with its consent. This should be treated as having been given if there is no objection.

2.5. Budget figures that are put before the meeting should be topical. It is better to exhibit recent unaudited accounts than to produce audited statements that are nearly always a year old and therefore largely irrelevant.

2.6. Outside speakers can be invited. These could be experts on matters likely to be of local interest.

2.7. It is useful to include a particular local public issue on the agenda, something important or controversial, e.g., more houses; water or sewerage schemes, the amalgamation of charities; telephone kiosks and post-offices; bus and train services; On the other hand, it is sensible to restrict the number of controversial issues to be raised at any one meeting.

Document 2.6

Complaints Procedure

Adopted November 2013

1 Introduction

1.1 This policy sets out procedures for dealing with any complaints that anyone may have about Bingham Town Council's administration and procedures. It applies to the Town Council's employees. The statutory Code of Conduct adopted by the Council covers councillors. Complaints against policy decisions made by the Council shall be referred to the Council (but note paragraph 19 of the Council's Standing Orders in this regard).

2 Oral Complaints

2.1 If a complaint about procedures or administration as practised by the Council's employees is notified orally to a Councillor or the Town Clerk, they should seek to satisfy the complaint fully. If that fails, the complainant should be asked to put the complaint in writing to the Town Clerk and be assured that it will be dealt with promptly after receipt. If the complainant prefers not to put the complaint to the Town Clerk, he or she should be advised to put it to the Town Mayor.

3 Written Complaints

3.1 On receipt of a written complaint, the Town Mayor or the Town Clerk shall try to settle the complaint directly with the complainant, unless the complaint is about the Town Clerk when it shall be referred to the Town Council. No action shall be taken without first notifying the person complained against and giving them the opportunity to comment. The Town Mayor or Town Clerk shall report to the next meeting of the Town Council any written complaint disposed of by direct action with the complainant.

3.2 The Town Mayor or Town Clerk shall bring any written complaint that has not been settled to the next meeting of the Town Council. The Town Clerk shall notify the complainant of the date on which the complaint will be considered and the complainant shall be offered the opportunity to explain the complaint orally. (Unless such a matter is related to Grievance, Disciplinary or Standards Board proceedings that are taking, or are likely to take place, when such discussion may prejudice those proceedings and must be deferred until appropriate advice is received).

3.3 The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed under Confidential Business but any decision on a complaint shall be announced in open Council. As soon as may be after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.

3.4 The Council shall defer dealing with any written complaint only if it is of the opinion that issues of law or practise arise on which advice is necessary. The complaint shall be dealt with at the next Town Council meeting after the advice has been received.

3.5 In the event of serial facetious, vexatious or malicious complaints from a member of the public, the Council will consider taking legal advice before writing any letters to the complainant.

Document 3

KEY POLICIES & PROCEDURES

3.1 Equal Opportunities Policy Statement

3.2 Grants Policy

3.3 Health & Safety Policy

3.4 Old Court House Lettings Policy

3.5 Publication Scheme

3.6 Race Equality Statement

3.7 Staff Disciplinary Procedure

3.8 Staff Grievance Procedure

3.9 Statement of Intent – Staff Training Policy

3.10 Environmental Policy

Adopted November 2013