

Minutes of the Annual Meeting of Bingham Town Council held in the Council Chamber at The Old Court House, Church Street, Bingham, on Tuesday 1 May 2018 at 7.00pm

PRESENT:

Councillors: Jane Costello, S Hull, R Bird, F Purdue-Horan, G Williams, Jim Costello, J Stockwood, J Best, A Shelton, K Vallance, M Stockwood and P Moskwa

Officers: S Pyke (Town Clerk), J Riddle (Deputy Clerk).

Also in attendance: 2 Members of Public, Cllr N Clarke (until 7.25pm)

1. TOWN MAYOR

The outgoing Mayor, Councillor R Bird opened the meeting and invited nominations for Town Mayor.

Councillor Jane Costello was **PROPOSED** as Mayor by Councillor F Purdue-Horan and **SECONDED** by Councillor J Best. Councillor Jane Costello was, therefore, duly elected and signed the Declaration of Acceptance of Office and took the Chair.

2. APOLOGIES

Apologies for absence were received and accepted from Councillor S Orr, for personal reasons and Councillor G Davidson due to illness.

3. DEPUTY MAYOR

Councillor F Purdue-Horan was **PROPOSED** as Deputy Town Mayor by Councillor Jim Costello and **SECONDED** by Councillor P Moskwa. Councillor F Purdue-Horan was, therefore, duly elected and signed the Declaration of Acceptance of Office.

4. DECLARATIONS OF INTEREST

Councillor S Hull declared an interest in Folio 8886, Planning Minutes, any items relating to the Allotments including item 24 (Allotment quotations) and item 11 contained within the Policy and Resources minutes.

Councillor Jane Costello – declared an interest in any item relating to Toot Hill School.

Councillor P Moskwa declared an interest in item 10 (d) as Chair of the Playparks Community Group.

Councillor M Stockwood declared an interest in any item relating the British Legion due to being a member.

Councillor A Shelton declared an interest in any item relating the British Legion due to being a member.

5. REGISTER OF INTERESTS

Councillors were reminded to review their Register of Interest forms.

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6. CODE OF CONDUCT

- a) The recommendations from the meeting of the Standards Hearing Panel of Rushcliffe Borough Council were read to Council. It confirmed that Councillor Hull had breached the Codes of Conduct despite having acted with the best of intentions.
- b) The recommendations of the Standards Panel were considered and it was:-
RESOLVED: to write to the Standards Committee to object that Bingham Town Council were recommended to take on training when the complaint was regarding an individual Councillor.
- c) The Clerk read the letter of apology from Councillor Hull and confirmed that she had attended planning training and was also booked to attend Chairman training on 9 July 2018.

7. QUESTIONS AND COMMENTS FROM MEMBERS OF THE PUBLIC

No questions were received.

8. MINUTES

RESOLVED: that the Minutes of the Full Council meeting held on 6 March 2018 (Folios 8872-8875), having been circulated prior to the meeting, were taken as read, approved and signed by the Mayor

9. MAYORS ANNOUNCEMENTS

The outgoing Mayor, Councillor R Bird confirmed that he had attended the following:

- 10 March – Opened the Bingham Furniture Homestore
- 12 March – Fly the Flag day at Newark
- 21 March – Opening of the Puppet Festival at Nottingham Trent University
- 25 March – Puppet Parade in Nottingham City Centre with a Meccano Puppet
- 9 April – Bingham WI 100 Year's anniversary event
- 12 April – Police Priority Setting Meeting
- 20 April – St George's Day Dinner at Newark Town Council
- 25 April – Twinning Association Annual General Meeting
- 26 April – Meeting of the Growth Board
- 26 April – Tour of Castle House with Newark Town Council

The Mayor confirmed that she had attended the Bingham WI 100 year's anniversary event as the Deputy Mayor and member of the WI.

The Mayor confirmed that her nominated Charity for the year 2018/2019 would be to support the Woman's Aid Integrated Services. The Charity works with women, teens and children that have been affected by domestic violence. <https://wais.org.uk/>

10. COMMITTEE MINUTES

- (a) Planning Committee, 20 March 2018

RESOLVED: that the Minutes of the meeting of this Committee be accepted.

- (b) Planning Committee, 17 April 2018

RESOLVED: that the Minutes of the meeting of this Committee be accepted.

- (c) Community & Environment Committee, 20 March 2018

It was requested that item 8, Town News in the Buttercross be considered. It was agreed that rather than Councillor Bird overseeing the Town News that the Mayor would take on this role instead.

RESOLVED: that the recommendations of the meeting of this committee be accepted subject to the above change.

- (d) Recreation & Amenities Committee, 03 April 2018

It was requested and agreed that item 5 should have the addition of: The Council supports the Chairman of Recreation & Amenities and the Chairman of Bingham Community Parks Project to progress to the next stage as soon as possible.

RESOLVED: that the recommendations of the meeting of this committee be accepted subject to the above change.

- (e) Policy & Resources Committee, 17 April 2018

RESOLVED: that the recommendations of the meeting of this committee be accepted.

11. TERMS OF REFERENCE

- (a) Planning (Folio 8941)

It was agreed that as the Planning Committee had no budget, the last paragraph should be deleted.

RESOLVED: that the terms of reference for the Planning Committee be adopted, subject to the agreed deletion.

- (b) Community & Environment (Folio 8942)

RESOLVED: that the terms of reference for the Community & Environment Committee be adopted.

- (c) Recreation & Amenities (Folio 8943)

RESOLVED: that the terms of reference for the Recreation & Amenities Committee be adopted.

- (d) Policy & Resources (Folio 8944)

RESOLVED: that the terms of reference for the Recreation & Amenities Committee be adopted.

12. COMMITTEE MEMBERS (FOLIO 8945)

RESOLVED: that Councillor M Stockwood take the place of Councillor F Purdue-Horan, as the Deputy Mayor, is an ex-officio member of all Committees, on the Policy & Resources Committee.

Councillor R Bird would replace Councillor K Vallance on the Community & Environment Committee.

13. SUBSTITUTES

RESOLVED: that Councillors would arrange a substitute. If no substitute is arranged, any Councillor not on that Committee could substitute at the meeting.

14. MEETING DATES (FOLIO 8946 to 8947)

RESOLVED: that the meeting dates for the 2018/2019 year be accepted.

15. OUTSIDE BODIES OR AGENCIES

RESOLVED: that the following Councillors be assigned to Outside Bodies or Agencies:

Bingham Growth Board – Mayor (Councillor Jane Costello)

Police Priority Setting Group – Councillor R Bird

Bingham Town Sports Committee – It was agreed there had been no request for a Councillor

Bingham Friends of Linear Park – Councillor A Shelton

Bingham Town Twinning Association – Mayor (Councillor Jane Costello)

16. STANDING ORDERS (FOLIO 8948 to 8971)

RESOLVED: that the new Model standing Orders 2018 with small variances to reflect the Council's operational procedures were adopted subject to the following amendments:

- Page 8, 4v. 3 be replaced by 0 days
- That the Clerk finalise the grievance matters section on point 19 – Handling Staff Matters
- That a separate policy should be adopted in relation to Councillor training rather than include in point 26 – Standing Orders generally

17. POLICIES

(a) Mayor's Allowance Policy (Folio 8972)

RESOLVED: that the Policy be adopted subject to the deletion of three bullet points (Raffle/Drawer Tickets; Donations to charity stalls, etc; Telephone, stationery and printing)

(b) Parish Travelling and Subsistence Allowance Policy (Folio 8973)

RESOLVED: that the Policy be adopted with the insertion of motorbike rate of 24p per mile

(c) Records Retention Policy (Folio 8974 to 8976)

RESOLVED: that the Policy be adopted

(d) Data Protection Policy (Folio 8977 to 8979)

RESOLVED: that the Policy be adopted

(e) Data Breach Policy (Folio 8980 to 8981)

RESOLVED: that the Policy be adopted

18. LAND AND ASSET REGISTER

RESOLVED: that the asset register be finalised by the Clerk with the assistance of the Mayor and Councillor J Stockwood.

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19. SUBSCRIPTIONS

It was agreed that the subscription list be referred to the Policy & Resources Committee.

20. DIRECT DEBITS AND STANDING ORDERS

The list of Direct debits below were noted by the Council.

Utility Warehouse	Gas, electricity, mobile phones, broadband, landlines
Genera8 Finance	Alarm
Wastecycle	Waste collection
All-star Business Fuels	Fuel
Rushcliffe Borough Council	Council Tax
ICO	Subscription
PEAC	Photocopier
Water Plus	Water

21. COUNCILLORS ' REPORTS

Councillor Bird

Police Priority Setting Meeting – Councillor Bird updated the Council that three priorities had been set: burglary, vehicle crime and anti-social behaviour.

Growth Board Meeting – Urbed had given a positive presentation about the master plan for Bingham.

22. COUNTY AND BOROUGH COUNCIL REPORTS

Nottingham County Councillor F Purdue-Horan

Reports regarding the potholes on Wychwood Road/Balmoral Road areas had been passed to County Councillor Neil Clarke and it was confirmed that the holes had now been filled. Potholes and roads remained a priority.

Rushcliffe Borough Councillor F Purdue-Horan

It was announced that Lloyds Bank will be having a mobile unit on the Market Place

The service will commence on 14 May and will operate during the following times; Monday – 10.00am to 12.30pm and Wednesday – 10.00am to 2.30pm.

Rushcliffe Borough Councillor S Hull

It had been confirmed that a recycling unit for Tetra packs had been installed in the Lidl car park.

23. PAY SCALES

RESOLVED: to adopt the new NJC pay scales for 2018/2019

24. QUOTATIONS

RESOLVED: to proceed with the quote of £3285 excluding VAT to remove and clear the soil and asbestos at the allotment site.

25. INVOICES

There were no payments over £2000 to approve.

26. CORRESPONDENCE

- Parking issues at The Paddocks – it was agreed to refer this item to the Community & Environment Committee
- Cemetery – The Clerk confirmed that two compliments had been received about the Cemetery and that these comments had been passed on to the Grounds Staff.
- Proposed archaeological dig – The Clerk confirmed that the Grant to assist with the archaeological dig at Warner’s Paddock had been unsuccessful, the dig was therefore not proceeding and the tenant had been informed.

27. CONSULTATION

The Council would encourage anyone who has views on illegal traveller encampments to comment to Robert Jenrick MP and the details would be added to our website to assist with this.

RESOLVED: that a letter of support from Bingham Town Council be sent to Robert Jenrick MP

28. CLERK’S REPORT

- Town and Parish Forum – to be held on Wednesday 2 May 2018.
- NALC Councillor Survey – a reminder that this has been sent to all Councillors should they wish to complete.
- GDPR Update – The latest GDPR update from NALC was shared with the Council
- Internal Audit – This would be taking place on 9 May 2018
- Extra-Ordinary Meeting – a meeting would need to be called in May or June for consideration, approval and signing of the Annual Governance and Accountability return for the year ended 31 March 2018.

29. CONFIDENTIAL BUSINESS

PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960
PRIOR TO THE COMMENCEMENT OF THE NEXT BUSINESS, THE FOLLOWING
RESOLUTION WAS PROPOSED, SECONDED AND CARRIED:

“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 temporarily excluded, and they are instructed to withdraw”

The following matters were discussed:-

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01 Confidential Notes from Council meeting 6 March 2018

RESOLVED: That the notes be approved.

02 Confidential Notes from Policy and Resources Meeting 17 April 2018

RESOLVED: that the notes and recommendations be accepted.

Meeting Closed at: 21.47

.....CHAIRMAN

Date:



BINGHAM TOWN COUNCIL

Planning Committee

Level of authority from Full Council: Delegated

Councillors Members: tbc

Terms of Reference:

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

To comment upon planning applications to the relevant planning authority, usually Rushcliffe Borough Council, with the proviso that when major developments are on the agenda, all Council members are invited to attend. This committee is also responsible for the naming of roads. Strategic matters, such as the Local Plan or main trunk roads are to be considered via full Council.

Adopted: 01 May 2018



BINGHAM TOWN COUNCIL

Community and Environment Committee

Level of authority from Full Council: Advisory

Councillors Members: tbc

Terms of Reference:

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

Matters relating to social, community, physical and environmental Bingham, including:

- Promoting Bingham, the town guide, town map, publications, local fairs and events, tourism, Christmas decorations, public communications, website, social media. CCTV, liaison with the Police, youth issues and relevant public services, etc.
- Tree planting, flower displays, bulb planting, street furniture, standards of maintenance, environmental improvements, litter issues, street lighting, roads, road safety, car-parking, traffic movements, public transport, air quality, etc.

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

Adopted: 01 May 2018



BINGHAM TOWN COUNCIL

Recreation and Amenities Committee

Level of authority from Full Council: Advisory

Councillors Members: tbc

Terms of Reference:

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

- Management and development of playing fields, play areas, amenity areas, Linear Park, allotment gardens, etc.
- Management and maintenance of the grounds equipment and the two cemeteries
- Working with the Bingham Community Play Parks Group
- Liaison with the Butt Field Sports Club Association and related clubs regarding Butt Field and Pavilion matters
- Liaison with Bingham Rugby Club regarding the Town Pavilion and Wynhill playing field matters
- Matters relating to public footpaths (rights of way.)

Responsible for funds held in the Recreation and Amenities budget, including Allotments, Cemeteries and Linear Park and recommendations to the Policy and Resources Committee for capital expenditure.

Adopted: 01 May 2018



BINGHAM TOWN COUNCIL

Policy and Resources Committee

Level of authority from Full Council: Advisory

Councillors Members:

Terms of Reference:

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

Responsibility for the effective management and control of the financial affairs, assets, resources and personnel of the Council, including:

- Co-ordination of committee draft budgets and recommendation of Town Council precept
- Finance and recommendation of the capital programme and expenditure
- Finance and consideration of application of Grant
- Payment of accounts, wages and salaries
- Statement of accounts at end of year and balance sheet, regular monitoring of accounts
- Performance management and delivery of Council priorities
- Terms and conditions of employment for employees
- Civic functions
- Management of the main Council office, the Old Court House, Town office, rooms and the depot
- Compliance with the Council's statutory obligations, lease agreements and insurance matters
- Future consideration and project of a Community Centre
- Co-ordination of items affecting more than one committee

Responsible for funds held in the Finance, Old Court House budgets and co-ordination of and approval for recommendations on capital expenditure.

Adopted: 01 May 2018

BINGHAM TOWN COUNCIL

COMMITTEE MEMBERS - MAY 2018

TOWN MAYOR	DEPUTY TOWN MAYOR
Councillor Jane Costello	Councillor Francis Purdue-Horan

The Mayor and Deputy Mayor are members of all Committees

<p><u>COMMUNITY AND ENVIRONMENT</u></p> <p>Councillor Jane Best Councillor Jim Costello Councillor Maureen Stockwood Councillor Rowan Bird</p>	<p><u>RECREATION AND AMENITIES</u></p> <p>Councillor John Stockwood Councillor Paul Moskwa Councillor Gareth Williams Councillor Stefanie Orr</p>
<p style="text-align: center;"><u>PLANNING</u></p> <p>Councillor Andrew Shelton Councillor Maureen Stockwood Councillor Gareth Williams Councillor Paul Moskwa Councillor George Davidson Councillor Kath Vallance</p>	<p style="text-align: center;"><u>POLICY AND RESOURCES</u></p> <p>Councillor Andrew Shelton Councillor Maureen Stockwood Councillor John Stockwood Councillor Sue Hull</p>

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2018

Tuesday	May	1	Full Council
Monday		7	May Day Holiday
Tuesday		8	
Tuesday		15	Planning/Community & Environment
Tuesday		22	
Monday		28	Spring Holiday
Tuesday		29	Recreation & Amenities
Tuesday	June	5	
Tuesday		12	Planning/Policy & Resources
Tuesday		19	
Tuesday		26	Full Council
Tuesday	July	3	
Tuesday		10	Planning/Community & Environment
Tuesday		17	
Tuesday		24	Recreation & Amenities
Tuesday		31	
Tuesday	August	7	Planning/Policy & Resources
Tuesday		14	
Tuesday		21	Full Council
Monday		27	Late Summer Holiday
Tuesday		28	
Tuesday	September	4	Planning/Community & Environment
Tuesday		11	
Tuesday		18	Recreation & Amenities
Tuesday		25	
Tuesday	October	2	Planning/Policy & Resources
Tuesday		9	
Tuesday		16	Full Council
Tuesday		23	
Tuesday		30	Planning/Community & Environment
Tuesday	November	6	
Tuesday		13	Recreation & Amenities
Tuesday		20	
Tuesday		27	Planning/Policy & Resources
Tuesday	December	4	
Tuesday		11	Full Council
Tuesday		18	
Tuesday		25	Christmas Day
Wednesday		26	Boxing Day

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2019

Tuesday	January	1	New Year's Day
Tuesday		8	Planning/Community & Environment
Tuesday		15	
Tuesday		22	Recreation & Amenities
Tuesday		29	
Tuesday	February	5	Planning/Policy & Resources
Tuesday		12	
Tuesday		19	Full Council
Tuesday		26	
Tuesday	March	5	Planning/Community & Environment
Tuesday		12	
Tuesday		19	Recreation & Amenities
Tuesday		26	
Tuesday	April	2	Planning/Policy & Resources
Tuesday		9	
Tuesday		16	Full Council
Friday		19	Good Friday
Monday		22	Easter Monday
Tuesday		23	
Tuesday		30	Planning
Thursday	May	2	Town Council Elections
Tuesday		7	
Tuesday		14	Full Council
Tuesday		21	
Tuesday		28	



Bingham Town Council

MODEL STANDING

ORDERS 2018

(ENGLAND)

The Standing Orders were considered by Bingham Town Council at its Annual Town Council meeting on 01 May 2018 and approved by the Town Council.

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1. RULES OF DEBATE AT MEETINGS

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

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- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

2. **DISORDERLY CONDUCT AT MEETINGS**

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

3. **MEETINGS GENERALLY**

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 20 minutes unless

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directed by the chairman of the meeting.

- g Subject to standing order 3(f), a member of the public shall not speak for more than 5 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting**

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- **rights present and voting.**
- r **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

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

- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

t The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

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

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- w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
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- x Should a meeting exceed 2 hours then councillors will be given the option of a comfort break. A meeting should not exceed a period of 3 hours, excluding the duration of the comfort break. However, councillors may vote to extend the meeting by a further 30 minutes.

4. COMMITTEES AND SUB-COMMITTEES

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

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

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**

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- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
 - xiii. Review of inventory of land and other assets including buildings and office equipment;
 - xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - xv. Review of the Council's and/or staff subscriptions to other bodies;
 - xvi. Review of the Council's complaints procedure;
 - xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
 - xviii. Review of the Council's policy for dealing with the press/media;
 - xix. Review of the Council's employment policies and procedures;

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- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. **EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the chairman of a committee or a sub-committee does not call an extraordinary meeting within 5 days of having been requested to do so by 2 members of the committee or the sub-committee, any 2 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. **PREVIOUS RESOLUTIONS**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 4 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

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

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 5 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. **MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
- i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. to not hear further from a councillor or a member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close the meeting.

11. **MANAGEMENT OF INFORMATION**

See also standing order 20.

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**

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

12. **DRAFT MINUTES**

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

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

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

● e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

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- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. **CODE OF CONDUCT AND DISPENSATIONS**

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all**

relevant circumstances any of the following apply:

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

14. **CODE OF CONDUCT COMPLAINTS**

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. **PROPER OFFICER**

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

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b The Proper Officer shall:

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

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

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed;
(see also standing order 23);

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- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning Committee;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).

16. RESPONSIBLE FINANCIAL OFFICER

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

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

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- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. **FINANCIAL CONTROLS AND PROCUREMENT**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**

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- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. **HANDLING STAFF MATTERS**

- a A matter personal to a member of staff that is being considered by a meeting of the Policy and Resources committee is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Policy and Resources committee or, if he is not available, the vice-chairman (if there is one) of the Policy and Resources committee of absence occasioned by illness or other reason and that person shall report such absence to the Policy and Resources committee at its next meeting.
- c Three councillors from across the political parties, usually including the Mayor or Deputy Mayor, chairman or vice-chairman of the Policy and Resources committee and one other councillor shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Proper Officer/Responsible Financial Officer. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Policy and Resources committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Policy and Resources committee or in his absence, the vice-chairman of the Policy and Resources committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Policy and Resources committee.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Council's most senior member of staff (or other members of staff) relates to the chairman or vice-chairman of the Policy and Resources, this shall be communicated to another member of the Policy and Resources committee, which shall be reported back and progressed by resolution of Council.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

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- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. **RESPONSIBILITIES TO PROVIDE INFORMATION**

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

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

21. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

See also standing order 11.

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

22. **RELATIONS WITH THE PRESS/MEDIA**

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

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23. **EXECUTION AND SEALING OF LEGAL DEEDS**

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

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

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

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

24. **COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

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

25. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

26. **STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing

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order 9.

- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.



Bingham Town Council

Mayor's Allowance Policy

The Mayor's allowance exists to help defray the cost to the Mayor whilst undertaking his or her duties for the civic year. Bingham Town Council is committed to accountability and transparency in respect of all expenditure, including the Mayor's allowance.

Background

Each May, the Town Council elect the Mayor for the ensuing year. The job will entail increased responsibility for the Mayor representing the town at various events throughout the County. As a result, it is a likely that there will be increased expenditure and to defray these extra costs a budget is allocated and will be reviewed annually as part of the Council budget procedure. The Mayor's allowance will be taken from the Civic Events and Expenses budget, if this budget is not fully spent by the end of the Mayor's term of office, the remainder of the fund will revert to the general reserves.

Permitted expenditure

Whilst representing the town the following list is legitimate expenditure for which there will be reimbursement:

- Mileage to and from events
- Tickets for events
- Reasonable expenditure required for performing the Mayor's duties in service of the Town.

It is recognised that the Mayor may be accompanied to many formal engagements by his or her spouse or partner. Reasonable expenditure under the above headings in respect of the Mayor's spouse or partner represents legitimate expenditure.

It is expected that where possible receipts will support expenditure. Where it is not possible to provide receipts, signed written details must be provided by the Mayor to substantiate the expenditure.

The Mayor's Allowance Policy was considered by Bingham Town Council at its Annual Town Council meeting on 01 May 2018 and approved by the Town Council.

Minute Reference: 17a



Bingham Town Council

Parish Travel and Subsistence Allowance Policy

Travel Expenses

The Council will pay, on request, to both elected and co-opted members allowances in respect of travelling and subsistence, including an allowance in respect of travel by bicycle or other non-motorised form of transport, undertaken or incurred in connection with the performance of any of the following duties:

- The attendance at a meeting or function authorised by the Council (or if urgent, by the Mayor, or in their absence the Deputy Mayor, in consultation with the Town Clerk) which takes place outside of the Bingham boundary. This may include councillor training and development;
- The attendance at a meeting of any association of authorities of which the council is a member, if held outside the Bingham boundary;
- The performance of duties in connection with any formal council processes which require travel outside of the Bingham boundary;
- The carrying out of any other duty outside of the Bingham boundary authorised by the Council (or if urgent authorised by the Mayor, or in their absence the Deputy Mayor, and the Town Clerk).

For any functions authorised in line with above, travel can be authorised for journeys by public transport car, or non-motorised device:

Rates will be paid as follows:

- Bus or rail travel – cost of journey subject to receipt or ticket being provided to the Town Clerk
- Car – the Council will pay for authorised journeys at a rate of £0.45 per mile (HMRC rate)
- Motorbikes - £0.24 per mile (HMRC rate)
- Non-motorised transport (eg: bicycle) – £0.10 per mile (HMRC rate)

Payment will not normally be paid for travel within the Bingham boundary unless the Town Clerk and Mayor consider that there are extenuating circumstances.

Subsistence Allowances

Subsistence will only be paid in respect of an authorised duty outside of the Bingham boundary (see above) and will be paid at the following rates and only on provision of an appropriate receipt:

Breakfast - max £5.00 (£6.00 if purchased in London)

Lunch – max £6.00 (£7.50 if purchased in London)

Dinner – max £10.00 (12.50 if purchased in London)

This Parish Travel and Subsistence Allowance Policy was considered by Bingham Town Council at its Annual Town Council meeting on 01 May 2018 and approved by the Town Council.

Minute Reference: 17b



Bingham Town Council

Records Retention Policy

Bingham Town Council recognises that the efficient management of its records is necessary to comply with its legal and regulatory obligations and to contribute to the effective overall management of the association. This document provides the policy framework through which this effective management can be achieved and audited.

It covers:

- Scope
- Responsibilities
- Retention Schedule

Scope

This policy applies to all records created, received or maintained by Bingham Town Council in the course of carrying out its functions. Records are defined as all those documents which facilitate the business carried out by Bingham Town Council and which are thereafter retained (for a set period) to provide evidence of its transactions or activities. These records may be created, received or maintained in hard copy or electronically. A small percentage of Bingham Town Council records may be selected for permanent preservation as part of the Council's archives and for historical research.

Responsibilities

Bingham Town Council has a corporate responsibility to maintain its records and record management systems in accordance with the regulatory environment. The person with overall responsibility for this policy is the Clerk. The person responsible for records management will give guidance for good records management practice and will promote compliance with this policy so that information will be retrieved easily, appropriately and timely. Individual staff and employees must ensure that records for which they are responsible are accurate and are maintained and disposed of in accordance with Bingham Town Council's records management guidelines.

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Retention Schedule

The retention schedule refers to record series regardless of the media in which they are stored.

Document	Minimum Retention Period	Reason
Minutes		
Minutes of Council meetings	Indefinite	Archive
Minutes of committee meetings	Indefinite	Archive
Employment		
Staff employment contracts	6 years after ceasing employment	Management
Staff payroll information	3 years	Management
Staff references	6 years after ceasing employment	Management
Application forms (interviewed – unsuccessful)	6 months	Management
Application forms (interviewed – successful)	6 years after ceasing employment	Management
Disciplinary files	6 years after ceasing employment	Management
Staff appraisals	6 years after ceasing employment	Management
Finance		
Scales of fees and charges	6 years	Management
Receipt and payment accounts	6 years	VAT
Bank statements	Last completed audit year	Audit
Cheque book stubs	Last completed audit year	Audit
Paid invoices	6 years	VAT
Paid cheques	6 years	Limitation Act 1980
Payroll records	12 years	HMRC
Petty cash accounts	6 years	HMRC
Insurance		
Insurance policies	6 years after policy end	Management
Certificates for Insurance against liability for employees	40 years after policy end	Employer's Liability Regulations 1998
Certificates for Public Liability	6 years after policy end	Management
Insurance claim records	6 years after policy end	Management
Health and Safety		
Accident books	3 years from date of last entry	Statutory
Risk assessment	3 years	Management
General Management		
Councillors contact details	Duration of membership	Management

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Lease agreements	Indefinite	Audit/Management
Contracts	Indefinite	Audit/Management
Email messages	At end of useful life	Management
Consent forms	5 years	Management
GDPR Security Compliance form	Duration of membership	Management

This Records Retention Policy was considered by Bingham Town Council at its Annual Town Council meeting on 01 May 2018 and approved by the Town Council.

Minute Reference: 17c



Bingham Town Council

Data Protection Policy

Bingham Town Council recognises its responsibility to comply with the General Data Protection Regulations (GDPR) 2018 which regulates the use of personal data. This does not have to be sensitive data; it can be as little as a name and address.

General Data Protection Regulations (GDPR)

The GDPR sets out high standards for the handling of personal information and protecting individuals' rights for privacy. It also regulates how personal information can be collected, handled and used. The GDPR applies to anyone holding personal information about people, electronically or on paper. Bingham Town Council has also notified the Information Commissioner that it holds personal data about individuals.

When dealing with personal data, Bingham Town Council staff and members must ensure that:

- **Data is processed fairly, lawfully and in a transparent manner**

This means that personal information should only be collected from individuals if staff have been open and honest about why they want the personal information.

- **Data is processed for specified purposes only**

This means that data is collected for specific, explicit and legitimate purposes only.

- **Data is relevant to what it is needed for**

Data will be monitored so that too much or too little is not kept; only data that is needed should be held.

- **Data is accurate and kept up to date and is not kept longer than it is needed**

Personal data should be accurate, if it is not it should be corrected. Data no longer needed will be shredded or securely disposed of.

- **Data is processed in accordance with the rights of individuals**

Individuals must be informed, upon request, of all the personal information held about them.

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- **Data is kept securely**

There should be protection against unauthorised or unlawful processing and against accidental loss, destruction or damage.

Storing and accessing data

Bingham Town Council recognises its responsibility to be open with people when taking personal details from them. This means that staff must be honest about why they want a particular piece of personal information.

Bingham Town Council may hold personal information about individuals such as their names, addresses, email addresses and telephone numbers. These will be securely kept at Bingham Town Council office and are not available for public access. All data stored on Bingham Town Council office computers are password protected. Once data is not needed any more, is out of date or has served its use and falls outside the minimum retention time of Councils document retention policy, it will be shredded or securely deleted from the computer.

Bingham Town Council is aware that people have the right to access any personal information that is held about them. Subject Access Requests (SARs) must be submitted in writing (this can be done in hard copy, email or social media). If a person requests to see any data that is being held about them, the SAR response must detail:

- How and to what purpose personal data is processed
- The period Bingham Town Council tend to process it for
- Anyone who has access to the personal data

The response must be sent within 30 days and should be free of charge.

If a SAR includes personal data of other individuals, Bingham Town Council must not disclose the personal information of the other individual. That individual's personal information may either be redacted, or the individual may be contacted to give permission for their information to be shared with the Subject.

Individuals have the right to have their data rectified if it is incorrect, the right to request erasure of the data, the right to request restriction of processing of the data and the right to object to data processing, although rules do apply to those requests.

Confidentiality

Bingham Town Council members and staff must be aware that when complaints or queries are made, they must remain confidential unless the subject gives permission otherwise. When handling personal data, this must also remain confidential.

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This Data Protection Policy was considered by Bingham Town Council at its Annual Town Council meeting on 01 May 2018 and approved by the Town Council.

Minute Reference: 17d



Bingham Town Council

Data Breach Policy

The General Data Protection Regulations (GDPR) defines a personal data breach as “a breach of security leading to accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed”. Examples include:

- Access by an unauthorised third party
- Deliberate or accidental action (or inaction) by a controller or processor
- Sending personal data to an incorrect recipient
- Computing devices containing personal data being lost or stolen
- Alteration of personal data without permission
- Loss of availability of personal data

Bingham Town Council takes the security of personal data seriously, computers are password protected and hard copy files are kept in locked cabinets.

Consequences of a personal data breach

A breach of personal data may result in a loss of control of personal data, discrimination, identity theft or fraud, financial loss, damage to reputation, loss of confidentiality of personal data, damage to property or social disadvantage. Therefore, a breach, depending on the circumstances of the breach, can have a range of effects on individuals.

Bingham Town Council’s duty to report a breach

If the data breach is likely to result in a risk to the rights and freedoms of the individual, the breach must be reported to the individual and the Information Commissioner’s Office (ICO) without undue delay and, where feasible, not later than 72 hours after having become aware of the breach. The Data Protection Officer must be informed immediately so they are able to report the breach to the ICO in the 72 hour timeframe.

If the ICO is not informed within 72 hours, Bingham Town Council via the Data Protection Officer (DPO) must give reasons for the delay when they report the breach.

When notifying the ICO of a breach, Bingham Town Council must:

- i. Describe the nature of the breach including the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned
- ii. Communicate the name and contact details of the DPO
- iii. Describe the likely consequences of the breach

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- iv. Describe the measures taken or proposed to be taken to address the personal data breach including, measures to mitigate its possible adverse effects.

When notifying the individual affected by the breach, Bingham Town Council must provide the individual with (ii)-(iv) above.

Bingham Town Council would not need to communicate with an individual if the following applies:

- It has implemented appropriate technical and organisational measures (i.e. encryption) so those measures have rendered the personal data unintelligible to any person not authorised to access it;
- It has taken subsequent measures to ensure that the high risk to rights and freedoms of individuals is no longer likely to materialise, or
- It would involve a disproportionate effort

However, the ICO must still be informed even if the above measures are in place.

Data processors duty to inform Bingham Town Council

If a data processor (i.e. payroll provider) becomes aware of a personal data breach, it must notify Bingham Town Council without undue delay. It is then Bingham Town Council's responsibility to inform the ICO, it is not the data processors responsibility to notify the ICO.

Records of data breaches

All data breaches must be recorded whether or not they are reported to individuals. This record will help to identify system failures and should be used as a way to improve the security of personal data.

Record of Data Breaches

Date of breach	Type of breach	Number of individuals affected	Date reported to ICO/individual	Actions to prevent breach recurring

To report a data breach use the ICO online system:

<https://ico.org.uk/for-organisations/report-a-breach/>

This Data Breach Policy was considered by Bingham Town Council at its Annual Town Council meeting on 01 May 2018 and approved by the Town Council.

Minute Reference: 17e