

2015

STANDING ORDERS



**Chippenham
Town Council**

Improving
the quality
of town life

ADOPTED BY
Council
29/04/2015

Index of Standing Orders

| Standing Order | Page |
|---|-----------|
| 1. Rules of debate at meetings | 3 |
| 2. Disorderly conduct at meetings | 5 |
| 3. Committees and sub-committees..... | 9 |
| 4. Ordinary council meetings..... | 10 |
| 5. Extraordinary meetings of the council and committees and sub- committees | 12 |
| 6. Previous resolutions | 12 |
| 7. Voting on appointments | 12 |
| 8. Motions for a meeting that require written notice to be given to the Proper Officer | 13 |
| 9. Motions at a meeting that do not require written notice..... | 14 |
| 10. Handling confidential or sensitive information | 14 |
| 11. Draft minutes..... | 15 |
| 12. Code of conduct and dispensations | 15 |
| 13. Code of conduct complaints..... | 16 |
| 14. Proper Officer..... | 17 |
| 15. Responsible Financial Officer..... | 18 |
| 16. Accounts and accounting statements | 18 |
| 17. Financial controls and procurement | 19 |
| 18. Handling staff matters | 20 |
| 19. Requests for information | 21 |
| 20. Relations with the press/media | 22 |
| 21. Execution and sealing of legal deeds | 22 |
| 22. Communicating with District and County or Unitary councillors..... | 22 |
| 23. Restrictions on councillor activities..... | 22 |
| 24. Standing Orders generally | 23 |
| APPENDIX 1 | 24 |
| TERMS OF REFERENCE FOR COMMITTEES | 24 |
| COUNCIL..... | 25 |
| STRATEGY AND RESOURCES COMMITTEE..... | 26 |
| SUB COMMITTEES OF S&R:..... | 29 |
| <i>PERSONNEL SUB COMMITTEE</i> | <i>29</i> |
| <i>CIVIC MATTERS SUB COMMITTEE.....</i> | <i>30</i> |
| <i>COMMUNITY DONATIONS SUB-COMMITTEE.....</i> | <i>31</i> |
| <i>DISPENSATIONS SUB COMMITTEE</i> | <i>31</i> |
| LEISURE AND AMENITIES COMMITTEE..... | 35 |

PLANNING COMMITTEE..... 37
APPENDIX 2 39
MEMBERS CODE OF CONDUCT 39

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- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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 amended motion 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.
- j Subject to standing order 1(k) below, 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 of the first amendment or at the very end of debate on the final substantive motion immediately

before it is put to the vote.

- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.

- p During the debate of 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 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) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or 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) above 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.

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.**
- ■ 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.**
*Note: councillors not elected to the committee / subcommittee have no more rights than the public and are also excluded.
- 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 shall not exceed (30) minutes unless directed by the chairman of the meeting.

Questions at a committee/subcommittee meeting must be within the remit of the committee

When a Ward Councillor not on the committee wishes to put a question in public forum, that question will be taken before questions from other members of the public.

- g Subject to standing order 3(f) above, a member of the public is entitled to speak once only on the same issue and shall not speak for more than 3 minutes.

Where several people wish to speak on the same issue, the Chairman may direct that a single representative to be appointed.

- h In accordance with standing order 3(e) above, 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
 - i. if addressing full council stand when speaking (except when a person has a disability or is likely to suffer discomfort)].
 - ii. if addressing any meeting other than full council may remain seated.
- 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 **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted without the Council's consent. Oral reporting or oral commentary on a meeting as it takes place is not permitted if the person reporting or providing the commentary is present at the meeting**

  m **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.**

 n **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 any).**

 o **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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.**

   p **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**

   q **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(i) and (j) below for the different rules that apply in the

election of the Chairman of the Council at the annual meeting of the council.

r **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 the vote is taken. Any member may request immediately after a vote has been taken that the minutes record the way they voted.

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

- i. the time and place of the meeting;
- ii. the names of councillors present and absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. when a councillor or non-councillor with voting rights arrived (if after the start) and left the meeting;
- v. if there was a public participation session; and
- vi. the resolutions made.



t **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.**

See standing order 12 below



u **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) below for the quorum of a committee or sub-committee meeting.



v **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.

w A meeting shall not exceed a period of (2) hours.

3. 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. For Committee with executive functions non –members if appointed have no voting rights unless that committee has delegated authority for:**
 - i. **Management of Land**
 - ii. **Has Harbour Functions as part of a Harbour Authority**
 - iii. **Tourism Function**
 - iv. **Management of a Festival**

- 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 (see Appendix 1: TERMS OF REFERENCE FOR COMMITTEES);
 - 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 full council;
 - iii. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee ensuring that
 - i. the political composition of committees fairly and as accurately as possible reflects the political composition of the Council;
 - ii. each standing committee will comprise 12 Members; in the case of the Planning Committee there will be at least one Member from each Ward
 - ii. every councillor is given the opportunity to sit on at least one standing committee;
 - iv. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (2) working days before the meeting that they are unable to attend. An ordinary member of a committee who has been replaced at a meeting by a substitute member shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting; the substitute member taking over full debating and voting rights at that meeting;
 - v. shall, after it has appointed the members of a standing committee, those members shall appoint the Chairman from among their number;
 - vi. shall permit a committee/subcommittee/advisory working party, to appoint its

- own chairman at the first meeting if not appointed at the annual council meeting;
 - vii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - viii. may dissolve a committee.
- e The Council and Standing Committees may appoint advisory working parties without delegated powers comprising no more than 5 Councillors with powers to co-opt non Councillors on a nonvoting basis. The Chairman to be a Councillor.

4. 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 new councillors elected take office.**
- b In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.**
- c If no other time is fixed, the annual meeting of the council shall take place at 7pm.**
- 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 directs.**
- e The first business conducted at the annual meeting of the council shall be the election of the Chairman of the Council who shall be known as the Town Mayor and Vice Chairman of Council who shall be known as the Town Deputy Mayor.**
 - i. The Town Mayor shall carry out the role and duties of office in accordance with the approved Mayors Protocol.
 - ii. The Deputy Mayor will automatically be nominated for the position of Mayor at the Annual Town Council meeting for the following year.
 - iii. Other nominations for Town Mayor and Deputy Town Mayor to be submitted in writing to the Chief Executive at least 7 clear days before the Annual Town Council meeting.
- f The Mayor, 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 Deputy Mayor of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the council.**

- h In an election year, if the current Mayor has not been re-elected as a member of the council, he shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes.**
- i In an election year, if the current Mayor has been re-elected as a member of the council, he shall preside at the meeting until a new Mayor has been elected. He may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Mayor and Deputy Mayor of the Council at the annual meeting of the council, the business of the annual meeting shall include:
- i. **In an election year, delivery by the Mayor 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 Mayor 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. To elect a Leader of Council who shall also be Chairman of the Strategy and Resources Committee.
The role of Leader of Council (or Deputy Leader in their absence) is to:
 - Provide leadership to the Council but with no executive powers
 - Act as a liaison between the Chief Executive in indicating priorities and programmes for inclusion in Council business
 - Be responsible for working with other Councillors as appropriate to outline the Council strategy
 - Be first point of contact for the Chief Executive when a political or policy response is needed
 - viii. To elect a Deputy Leader who shall also be Vice Chairman of the Strategy and Resources Committee.
 - ix. Appointment of members to standing committees;
 - x. Appointment of any new committees in accordance with standing order 4 above;
 - xi. Review and adoption of appropriate standing orders and financial regulations;
 - xii. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - xiii. Review of representation on or work with external bodies and arrangements for reporting back;
 - xiv. In an election year, to make arrangements with a view to the council becoming

eligible to exercise the general power of competence; in a non election year to pass a resolution to confirm that the Council meets the conditions required to qualify as an eligible parish council to exercise the Power of General Competence

- xv. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

5. Extraordinary meetings of the council and committees and sub-committees

- a **The Mayor may convene an extraordinary meeting of the council at any time.**
- b **If the Mayor does not or refuses to 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 must 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 or refuses to call an extraordinary meeting within (7) days of having been requested by to do so by (4) members of the committee [or the sub-committee], any (4) members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee]. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the 4 councillors.

6. 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 below, 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) above has been disposed of, no similar motion may be moved within a further six months.

7. 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.
- b Each candidate shall be permitted to address the council for a maximum of 10 minutes prior to a vote being taken.
- c Each councillor may put one question to each candidate following their address.

8. 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 which it is tabled for 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) above, 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) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least (7) clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g The Lead Officer for each committee/subcommittee will consult with the Chairman of the forthcoming meeting on the proposed agenda in accordance with the adopted Member/Employee protocol; the decision of the Proper Officer on the content of the agenda shall be final.

9. 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 sensitive 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 requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close a meeting.

10. Handling confidential or sensitive information

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

11. Draft minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- 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 Upon 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.

12. Code of conduct and dispensations

See also standing order 3(t) above and Appendix 2 below.

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting, unless members of the public are allowed to make representations, give evidence, or answer questions on the matter. Once he has finished speaking or when the chairman decides he has finished, he cannot remain in the meeting and must leave and not observe the vote.

- b 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** in accordance with the councils Dispensations Policy.
- e A decision as to whether to grant a dispensation shall be made in accordance with the councils Dispensations Policy 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 **A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:**
 - 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 or**
 - 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.**

13. Code of conduct complaints

- a Upon notification by the 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 above, report this to the council.
- b Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of this fact, and the Mayor 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) below].
- c The council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - 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 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.**

14. Proper Officer

- a The Proper Officer shall be either (i) the clerk the statutory duties of which shall be undertaken by the Chief Executive or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.**
See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3 (c) above for a meeting of a committee.
 - ii. **give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (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) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.
 - iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least (2) days before the meeting confirming his withdrawal of it;
 - iv. **convene a meeting of full council for the election of a new Mayor, occasioned by a casual vacancy in his office;**
 - v. facilitate inspection of the minute book by local government electors;
 - vi. **receive and retain copies of byelaws made by other local authorities;**
 - vii. retain acceptance of office forms from councillors;
 - viii. retain a copy of every councillor's register of interests;
 - ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
 - x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
 - xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
 - xii. arrange for legal deeds to be executed;
See also standing order 22 below.
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;

- xiv. arrange for every planning application notified to the council and the council's response to the local planning authority to be recorded;
- xv. refer a planning application received by the council to the Chairman or in his absence Vice-Chairman 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 the Planning Committee;
- xvi. manage access to information about the council via the publication scheme; and
- xvii. retain custody of the seal of the council. Legal deeds to be sealed using the Council's seal shall be witnessed by any 2 Councillors and the Chief Executive, or appointed deputy
See also standing order 22 below.

c Delegation of urgent and routine matters

- i. There shall be delegated to the Chief Executive the authority to act in respect of any function of the Council on a matter, which in their opinion does not admit of delay. This delegated authority shall only be exercised in consultation with the Leader and/or Deputy Leader.
- ii. There shall be delegated to the Chief Executive the authority to act in respect of any function of a Committee or Sub-Committee, which in their opinion either does not admit of delay or is routine. This delegated authority shall only be exercised in consultation with the Chairman or Vice Chairman of the Committee or Sub-Committee within whose terms of reference the particular function lies.
- iii. Each exercise of delegated authority under this Standing Order shall be reported for information to the next meeting of the Committee or Sub-Committee within whose terms of reference the particular function lies or to Council.
- iv. The delegations in this Standing Order are in addition to and without prejudice to the powers of the Council or its Committees to arrange for the discharge of any of its functions by a Sub-Committee or an officer.

15. 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.

16. 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 (England).
- 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 as a minimum table at each Strategy and Resources Committee meeting and 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 for each quarter;
 - ii. the council's aggregate receipts and payments for the year to date;
 - iii. the balances held at the end of the quarter being reported

and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
 - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual 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 applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

17. 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. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than [£25,000].

- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£25,000] shall be procured on the basis of a formal tender as summarised in standing order 18(d) below.**
- 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 **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.**
- g **Determination of precept can only be made by Council**

18. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of the Personnel sub-committee is subject to standing order 10 above.

- b In accordance with the Council's policy regarding absences from work a report on the reasons for work absences of staff will be tabled at each Personnel sub-committee meeting.
- c The chairman of the Personnel sub-committee in conjunction with 2 other members of the Personnel sub-committee shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Chief Executive. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Personnel sub-committee.
- d Grievance and disciplinary matters will be dealt with in accordance with the Council's adopted Grievance policy.
- e Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- f The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- g Only persons with line management responsibilities shall have access to staff records referred to in standing orders 18(f) above if so justified.
- h Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 18(f) and (g) above shall be provided only to The Chief Executive and Head of Finance and Administration.

19. Requests for information

- a Requests for information held by the council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Strategy and Resources committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

20. Relations with the press/media

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

21. Execution and sealing of legal deeds

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

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b Subject to standing order 22(a) above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**
The above is applicable to a council with a common seal.

22. 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 Wiltshire Council representing the area of the Council.

23. Restrictions on councillor activities

- a. Unless authorised by a resolution, 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.
- b. **Canvassing of and Recommendations by Councillors**
 - i. Canvassing members of the Council or of any committee, directly or indirectly, for appointment by the Council shall disqualify the candidate from such appointment. The Chief Executive shall make known this paragraph of this Standing Order to every candidate.
 - ii. A member of the Council or of any committee shall not solicit for any person any appointment by 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.

iii. This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

24. Standing Orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory 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 requirements, shall be proposed by a special motion, the written notice by at least (3) councillors to be given to the Proper Officer in accordance with standing order 9 above.

At that meeting the motion shall not be carried unless two thirds of the councillors present and voting vote in favour of the same.

- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

APPENDIX 1

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|-----------------------------------|------|
| Contents: | page |
| TERMS OF REFERENCE FOR COMMITTEES | 24 |
| COUNCIL | 25 |
| STRATEGY AND RESOURCES COMMITTEE | 26 |
| SUB COMMITTEES OF S&R: | |
| Personnel Sub-Committee | 29 |
| Civic Matters Sub Committee | 30 |
| Community Donations Sub Committee | 31 |
| Dispensations Sub-Committee | 31 |
| LEISURE AND AMENITIES COMMITTEE | 35 |
| PLANNING COMMITTEE | 37 |

TERMS OF REFERENCE FOR COMMITTEES

- a The Town Council shall appoint three Standing Committees:
 1. Strategy and Resources Committee
 2. Leisure and Community Facilities Committee
 3. Planning Committee

- b The Town Council may determine the numbers of any or all Committees without the need to amend Standing Orders.

- c Where any decision of a Standing Committee, Sub Committee or Working Group falls outside their delegated power or terms of reference then the decision shall be a RECOMMENDED item which will be referred to the relevant meeting

- d Each Member of the Town Council shall be appointed to at least one Standing Committee.

- e Any Member of the Town Council may attend meetings of any Committee, Sub-Committee or Working Group which he/she is not a Member and must declare that he/she is not a Member, and may speak on any matter only with the permission of the Chairman, shall not vote but have a view recorded if so requested.

COUNCIL

Matters to be resolved only by Council include:

- i. Agreeing a budget
- ii. Precepting a rate
- iii. Borrowing Money
- iv. Approving the end of year Accounts and Annual Return
- v. Incurring capital or revenue expenditure which is over and above the Council's approved budget (unless incurred already under Financial Regulation 1.4 or 3.1.9)
- vi. Making, amending or revoking Standing Orders, Financial Regulations or Duties and Powers and Proper Officer provisions
- vii. Fixing the number of Committees, and the names and number of Members appointed to each Committee
- viii. Determining the functions and constitution of Committees and Sub-Committees
- ix. Fixing the dates of routine meetings of the Council and its Committees
- x. Filling of Member vacancies occurring on any Committee or Council (if required to do so by law)
- xi. Appointing or nominating persons to fill vacancies on outside bodies
- xii. Making, amending or revoking Bye Laws
- xiii. Making of Orders under any statutory powers
- xiv. Important matters of principle or policy which have been referred directly by committees or officers
- xv. Prosecution or defence in a court of law
- xvi. The production and adoption of the Annual Report
- xvii. Response to consultations the subject of which has a significant impact to the town e.g. Core Strategy, Site Allocation Plan, Boundary Review

STRATEGY AND RESOURCES COMMITTEE

The Committee shall consist of 12 Members of the Council. To comprise The Leader (who will be Chairman), Deputy Leader (who will be Vice Chairman), Chairman of Council (Mayor), Chairman of Planning Committee, Chairman of Leisure and Amenities Committee, and 7 other Members

DELEGATED AREAS OF RESPONSIBILITY:

To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-

CORPORATE GOVERNANCE

Be responsible for all aspects of Corporate Governance - the system by which this Council direct, monitor and control its functions and relate to the community according to the four fundamental principles of corporate governance:

- Openness
- Inclusivity
- Integrity
- Accountability

in line with the identified five interlocking dimensions in a corporate governance framework consisting of:

1. Service Delivery
2. Risk Management and Internal Control
3. Structures and Processes
4. Community Focus
5. Standards of Conduct

SERVICE DELIVERY

- i. Develop the Council's Strategic Plan and related Strategy Document to be presented and adopted by Council and monitor the Council's performance against these.
- ii. Oversee Civic Matters
- iii. Staff – (refer to Staffing Sub Committee below)
- iv. Office services including telecommunications, IT and staff security.
- v. Performance management/measurement
- vi. Determination of the Terms and Conditions, including the level of commuted payments, for the transfer of open space land or properties to the Council.
- vii. Make recommendation to the Full Council on the budget proposals of all Committees and the level of the precept to be levied each year.

2. RISK MANAGEMENT AND INTERNAL CONTROL

Be responsible for all aspects of the financial administration of the Council to comply with current statutory requirements including

- i. arrangements for preparation of the accounts
- ii. appointment of an independent Internal Auditor
- iii. preparation of, and compliance with, the Council's financial regulations
- iv. Maintenance of adequate systems of internal control and internal audit throughout the year.
- v. control & monitoring of the Council's approved budget throughout the year
- vi. considering and recommending to Council approval of annual financial reports, together with evidence of adequate systems of internal control and internal audit throughout the year, for presentation for External Audit
- vii. Develop and keep under review the Council's Medium Term Financial Plan and Investment strategy
- viii. Determine fees and charges for non-sporting facilities/services provided by the Council.
- ix. Determine subscriptions to be paid by the Council.
- x. Determine the need for and if necessary, recommend to Council the taking out of loans
- xi. Be responsible for all aspects of the contractual arrangements (as required)
- xii. Service Level Agreements
- xiii. Corporate property acquisition, maintenance, management and disposal.
- xiv. Licences relating to the assets of the Council
- xv. Lease Agreements
- xvi. Ensure adequate insurance of all the Council's property and liabilities.
- xvii. Advise the Council on the level of allowances to be payable to Councillors.
- xviii. Make recommendations to Council on:
 - i. Corporate Risk Strategy
 - ii. Risk Assessment
 - iii. Risk Register

3. STRUCTURES AND PROCESSES

- i. Advise the Council on its Corporate Policies and Strategies.
- ii. Make recommendations to Council in relation to the democratic process including Elections and any legislation.

4. COMMUNITY FOCUS

i. Marketing, Communications and Tourism

- i. Maintain and develop Marketing and Communications strategy (external and Internal) including all Council promotional and publicity matters
- ii. Act as the consultee, make representations, participate in and support as required in respect of all matters relating to Chippenhams' publicity, marketing and tourism strategies
- iii. Maintain and develop representation on Visit Wiltshire
- iv. Maintain and develop IT facilities for the Council including the development of the Council's web-site.

ii. Community Funding

Maintain and develop a Community Donations Scheme (see Community Donation Sub Committee)

iii. Responses to consultations

Advise the Council on responses to be made to Wiltshire Council corporate plans and policies as they affect Chippenham

iv. Community safety

i. Make recommendations to Council in relation to s.17 Crime & Disorder Act including:

- emergency services
- civil emergency planning
- community safety
- CCTV
- anti social behaviour issues

ii. Develop and maintain a Community Resilience Plan

v. Economic development:

- i. Act as the consultee, make representations, participate in and support as required in respect of all matters relating to Chippenhams' Economic Development including Chippenham Town Centre Regeneration and major developments in the town.
- ii. Representation on and liaison with:
 - Chippenham BID

vi. Twinning:

Be responsible for all matters relating to the involvement of the Town Council in twinning affairs with existing twin towns, any matters relating to future twinning possibilities and liaison with the Chippenham Twinning Association in pursuing these aims.

vii. Community Engagement

- i. Review and promote community engagement and development, encouraging the participation of and work in partnership with other organisations and individuals with an interest in the portfolio of the committee
- ii. Civic matters (see Civic Matters Sub Committee below)
- iii. Consider community matters not covered by other committees

5. STANDARDS OF CONDUCT

Be responsible making recommendations to the Council on Standing Orders in respect to the Conduct of Meetings, Code of Conduct for members and all similar documentation relating to the overall administration of the Council's affairs.

SUB COMMITTEES OF S&R:

To incorporate a

- Personnel Sub-Committee
- Civic Matters Sub Committee
- Community Donations Sub-Committee
- Dispensations Sub-Committee
- and any single issue Working Group as required from time to time

PERSONNEL SUB COMMITTEE

The Sub Committee shall consist of 7 Members of the Council.

DELEGATED AREAS OF RESPONSIBILITY:

To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-

The Personnel Sub Committee of the Strategy and Resources Committee shall have care of all matters affecting the appointment, promotion, discipline, salary and conditions of service of all staff and office holders of the Council.

The Sub Committee may exercise the powers of the Council in regard to:

- i. Appointments within the authorised establishment, by internal and, where appropriate, external advertisement.
- ii. Liaison with staff representatives.
- iii. Compliance with statutory requirements relating to employment and health and safety of staff.
- iv. The development and maintenance of policies relating to equal opportunities and access for people with impairments for existing staff and potential applicants.

- v. The development and maintenance of all personnel related policies.
- vi. The training and development of staff.
- vii. All matters affecting the appointment, promotion, discipline, salary and conditions of service of the Chief Executive.

The Sub Committee may make recommendations to the Strategy and Resources Committee in regard to:

- i. The establishment of the staff of the Council and the composition of that establishment.
- ii. The pay and conditions of staff including superannuation.

CIVIC MATTERS SUB COMMITTEE

The Committee shall consist of 5 Members of the Council to include the Mayor and Deputy Mayor. (Other appointments made according to experience of Members as former Mayors, length of Council service or other relevant knowledge/experience).

The Mayor shall automatically be designated the Chairman of the Civic Matters Sub Committee with the Deputy Mayor serving as Vice- Chairman

DELEGATED AREAS OF RESPONSIBILITY:

To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-

1. To maintain and monitor civic traditions of the town
- 2. Mayoralty**
 - i. To act as an advisory body on all matters related to the Mayoralty
 - ii. To consider any changes to the Mayoral Protocol
 - iii. To maintain the Mayoral regalia and determine the acceptance of items into the town's regalia
 - iv. To recommend to Strategy and Resources Committee any changes to the Mayor's Allowances
- 3. Civic Events**
 - i. To oversee arrangements for any event deemed by the Strategy and Resources Committee to be a Civic led event
 - ii. To oversee Mayoral charitable or fundraising projects
 - iii. To oversee the appointment of and consider any contractual and operational matters relating to the honorary posts of Macebearer, Deputy Macebearer and Town Crier
 - iv. To review and monitor spend of the Civic Affairs Sub Committee in line with the Civic Expenses budget
- 4. Mayor's Official Christmas Card**

To review and oversee arrangements for an annual children's competition to design the Mayor's Official Christmas Card

5. Civic Awards Scheme

- i. To review annually the structure of the awards scheme
- ii. To consider and propose to Strategy and Resources Committee recipients of the annual Civic Awards Scheme

6. Freedom of the Town

To recommend to Strategy and Resources Committee awarding Freedom of the Town status to any resident who has undertaken extraordinary service to the town

7. Budget

Prepare budget proposals for revenue and capital expenditure for the following financial year and submit to the Strategy and Resources Committee.

COMMUNITY DONATIONS SUB-COMMITTEE

The Community Donations Sub-Committee shall consist of 7 members of the Council elected annually. Meetings shall have a quorum of three Town Councillors. All meetings of the Community Donations Sub-Committee are open to the public.

DELEGATED AREAS OF RESPONSIBILITY:

- The evaluation of all community grants and donations and to have delegated responsibility for all decisions relating to this programme.
- To exercise its delegated responsibility and make awards within an agreed budget for the financial year.
- To amend the criteria at the end of a financial year, in keeping with the spirit of the aims and objectives of the Town Council, but mindful of changes to legislation within the local government sector.
- To prepare budget proposals for the following financial year and submit to the Strategy and Resources Committee.

DISPENSATIONS SUB COMMITTEE

The Sub Committee shall consist of 5 Members of the Council.

DELEGATED AREAS OF RESPONSIBILITY:

To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-

Under Section 31 of the Localism Act 2011 ("the Act"), a Member or co-opted Member who has a disclosable pecuniary interest (DPI) in a matter to be considered or being considered at a meeting of the authority at which that Member or co-opted Member is present and the disclosable pecuniary interest is one which the Member or co-opted Member is aware of, the Member or co-opted Member may not

participate or participate further in any discussion or vote on the matter at the meeting unless he/she has first obtained a dispensation in accordance with the Council's dispensation procedure.

The provisions on dispensations are significantly changed by the Localism Act 2011. There are 4 circumstances in respect of which a dispensation may be granted, namely:

- 1.1 That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would "impede the transaction of the business";
- 1.2 That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter.;
- 1.3 That the authority considers that the dispensation is in the interests of persons living in the authority's area;
- 1.4 That the authority considers that it is otherwise appropriate to grant a dispensation.

Any grant of a dispensation must specify the duration up to a maximum of 4 years. The Localism Act gives discretion for the power to grant dispensations to be delegated to a Committee or a Sub-Committee, or to the Monitoring Officer. This Council has determined that in respect of the above grounds assessment of these grounds involve a value judgement such that it is considered appropriate that the discretion to grant dispensations on these grounds is delegated to the Dispensations Sub Committee, after consultation with the Independent Person. Members wishing to apply for a dispensation are advised to complete the dispensation application form attached below.

Please note that applications for dispensation must be submitted by members on an individual basis. Group applications are not permitted.

Adopted: 26 September 2012

Chippenham Town Council

Form for Application for Dispensation: Chippenham Town Council
Member's Application for Dispensation in respect of a
Disclosable Pecuniary Interest

Note

Under Section 31 of the Localism Act 2011 ("the Act"), a Member or co-opted Member who has a disclosable pecuniary interest (DPI) in a matter to be considered or being considered at a meeting of the authority at which that Member or co-opted Member is present and the DPI is one which the Member or co-opted Member is aware of, the Member or co-opted Member may not participate or participate further in any discussion or vote on the matter at the meeting unless he/she has first obtained a dispensation in accordance with the Council's dispensation procedure.

You may apply for a dispensation by completing this form and sending it to the Chief Executive. The matter will be considered by the Dispensations Sub Committee. Accordingly, you should allow sufficient time for a meeting of the Dispensations sub Committee to be called and proper notice given. In those circumstances the application should be sent to the Chief Executive not less than 5 working days before the date when the matter is to be considered.

| | | |
|-------|--|--|
| 1. | Member's name: | |
| 2. | What is the matter which is shortly to be considered and in respect of which you seek a dispensation? | |
| 3. | What body (Full Council, a Committee or Sub-Committee or the Executive or a Committee of the Executive) is this matter to be considered by? | |
| 4. | What is the nature of your disclosable pecuniary interest? | |
| 5. | What is the date of the meeting at which this matter is to be considered? | |
| 6. | Under which of the following grounds do you seek this dispensation: | |
| (i) | That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would "impede the transaction of the business"; | |
| (ii) | That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter; | |
| (iii) | That the authority considers that the dispensation is in the | |

| | | |
|------|---|--|
| | interests of persons living in the authority's area; | |
| (iv) | That the authority considers that it is otherwise appropriate to grant a dispensation. | |
| 7. | Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period not exceeding four calendar years. (Note: It is suggested that the period applied for should not be for a longer period than the remaining term of office of the relevant Councillor(s). | |
| 8. | Please set out below the reasons why you consider that this dispensation ought to be granted: | |

Signed:Date:

*Note: This application should be signed by the Member concerned. If there are a number of Members seeking a dispensation in respect of the same matter, each should complete and sign their own form.

LEISURE AND AMENITIES COMMITTEE

The Committee shall consist of 12 Members of the Council.

DELEGATED AREAS OF RESPONSIBILITY:

To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-

- 1 Management, control and development of all playing fields, sports grounds, open spaces, play areas, BMX Jumps and other leisure and recreational facilities in the control or ownership of the Town Council:
 - i. Support the implementation of Work Schedules for Horticultural, Grounds and all Property Maintenance
 - ii. Maintenance of flowerbeds, tubs, troughs and hanging baskets and planters and any other areas owned or held by the Council on lease or license.
 - iii. Management and maintenance of Grounds equipment including equipment lease agreements
 - iv. Management and control of the Council's statutory allotments.
 - v. Management of top-up Town Centre street cleaning including chewing gum removal, graffiti removal (following relevant permissions being granted)
 - vi. Management of any external contractors required to carry out work on Council grounds or property
 - vii. Promote and maintain the town's Rivers Route
 - viii. Maintenance of bus shelters
 - ix. Management of any fishing rights owned by the Council
 - x. Exercise the Town Council's powers to acquire maintain, provide, contribute towards expenses of burial grounds, cemeteries, monuments and memorials.
 - xi. Exercise the Town Council's powers to maintain, repair, protect and adapt War Memorials.
 - xii. Provide and maintain public conveniences, notice boards, litter bins etc. within the Council's parks and open spaces.
 - xiii. Manage all bookings including contractual agreements for use of council properties.
 - xiv. Manage all aspects of the towns Christmas Lights provision.
 - xv. Ensure compliance with all Health and Safety legislation and risk management good practice relating to the operations of the Service Delivery Department.

2. Oversee the provision of and management and strategic development of the Museum and Heritage Centre and its associated services and activities.
3. Oversee the provision of and management and strategic development of:
 - i. The Neeld as a Community and Arts Centre
 - ii. and the Town Hall and Yelde Hall and other Council facilities to maximise their potential for Council use and Community and private function hire
4. Oversee the provision of the Customer Information Point and associated services and activities.
5. Approve a programme of events on Town Council managed property, which the council deems desirable to undertake, including liaison with third party event organisers wishing to use the council's sites.
6. Promote the provision of culture/leisure and visitor facilities for all people including people with disabilities.
7. Prepare budget proposals for revenue and capital expenditure for the following financial year and submit to the Strategy and Resources Committee.
8. Recommend fees and charges on sporting facilities to Strategy and Resources Committee.
9. To advise the Council on its recreational, open space, cemetery, play and allotment strategies and policies and once adopted to implement those strategies.
10. Keep under review the need for additional community facilities and make recommendations to Council as to how to satisfy such need.
11. Consider and comment on other leisure and recreational matters affecting Chippenham as appropriate
12. Determine any Tenders to be submitted for ground works and ground maintenance for other public bodies.
13. Advise the Council on Bye-laws with respect to open space and once adopted to ensure compliance with those Bye-laws.
14. Make representations to the appropriate authority on matters relating to the provision and maintenance of: allotments, cemeteries, children's play areas and other lands and buildings within the town providing leisure facilities for residents and visitors.
15. Advise the council on responses to be made to issues relating to relevant local and national award schemes such as:
 - Green Flag
 - Britain in Bloom
16. Review and promote community engagement and development, encouraging the participation of and work in partnership with other organisations and individuals with an interest in the portfolio of the committee

PLANNING COMMITTEE

The Committee shall consist of 12 Members of the Council. At least one Member to be appointed from each of the Town Council Wards.

If any Member is unable to attend, (in accordance with standing order 3.a.iv above) they may appoint a substitute Member from the same Ward they represent providing the Proper Officer is notified at least 2 working days before the meeting.

An ordinary member of the Planning Committee who has been replaced at a meeting by a substitute member shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting; the substitute member taking over full debating and voting rights at that meeting;

DELEGATED AREAS OF RESPONSIBILITY:

To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-

1. Town planning

- i. To make representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with the Local Government Act 1972, Section 20, Schedule 16 and other relevant legislation, including enforcement.
- ii. To make representations on behalf of the Council in respect of all applications relating to the preservation, felling or other works with respect to trees and tree preservation orders.
- iii. On behalf of Council to make representations to any appeal against a planning decision by Wiltshire Council including the preparation of submissions to be made to an Inspector.
- iv. To make representations in respect of Street Naming - including missing/vandalised signs
- v. To make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations including fly posting.
- vi. To make representations involving Listed Buildings and Conservation Areas in Chippenham
- vii. To monitor, review and where necessary make recommendations to the local planning authority for amendments to the planning consultation procedure.
- viii. Act as the consultee and make representations as required in respect of all matters relating to the built environment, roads and highways including Road Closure Notices, road signs, car parking, traffic management, footpaths, traffic regulations and bus shelters
- ix. To make representations on all matters relating to the provision and control of street lighting

- x. To make recommendations to Full Council on all matters relating to the Core Strategy or similar policy document.

2. Licensing

- i. On behalf of Council to make representations if required in relation to applications for licenses issued by Wiltshire Council including those relating to entertainment premises, justices licenses, taxi and private hire licensing and street collections.
- ii. To make representations on Street Trading if required

3. Waste and Minerals management

- i. Act as the consultee, make representations, participate in and support as required all matters relating to waste, recycling, refuse, street cleansing and litter and Minerals.

4. Alcohol restricted zones

- i. Act as the consultee, make representations to the relevant authority on Alcohol Restricted Zones

5. Street furniture

- i. Making representations to the appropriate authority and participate in all matters in respect of the provision and maintenance of all street furniture within the town including litter bins, dog waste bins, benches notice boards and other related initiatives by the statutory authorities.

6. Public services

Act as the consultee, make representations, participate in and support as required all matters relating to:

- i. Community care, social care and Health Services
- ii. housing strategy
- iii. public/community transport including Local Transport Plans
- iv. utility services (gas, electric, water, sewerage etc.)

7. Community Engagement

Review and promote community engagement and development, encouraging the participation of and work in partnership with other organisations and individuals with an interest in the portfolio of the committee.

8. Budget

Prepare budget proposals for revenue and capital expenditure for the following financial year and submit to the Strategy and Resources Committee.

APPENDIX 2

MEMBERS CODE OF CONDUCT

(Revision Approved 20 March 2013)

You are a member or co-opted member of Chippenham Town Council and hence you shall have regard to the following principles - **selflessness, integrity, objectivity, accountability, openness, honesty and leadership.**

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

Accordingly, when acting in your capacity as a member or co-opted member:

1. 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.
2. 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.
3. 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.
4. You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
5. 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.
6. You must declare whenever relevant 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 below.
7. 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.

Registering and declaring pecuniary and non-pecuniary interests

8. 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, 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 as a husband of wife, or as if you were civil partners.

9. 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 interests which your authority has decided should be included in the register.

Any non-pecuniary interest which could lead to a conflict of interest must be declared in the Register of Interests.

10. If an interest has not been entered onto the authority's register you must disclose the interest to any meeting of authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
11. Following any disclosure of an interest which is 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.
12. 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.
13. Any Member with a pecuniary interest in any business of the Town Council must withdraw from the room or chamber during consideration of the business concerned.