



**CHIPPENHAM  
TOWN COUNCIL**  
Improving the quality of town life

# Standing Orders

**Author: Chief Executive  
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Renew Due: 26 September 2021**

## INTRODUCTION TO STANDING ORDERS

Standing Orders are the written rules of Chippenham Town Council. They are used to confirm the Council's internal organisational, administrative and procurement procedures and procedural matters for meetings.

Meetings of the Council, Councillors, Proper Officer (known as the Chief Executive) and the Responsible Financial Officer (known as the Director of Resources) are subject to many statutory requirements.

- Standing Orders ensure that certain statutory requirements are upheld.
- A Council should have Standing Orders to confirm those statutory requirements.
- A Council should have Standing Orders to control the number of meetings, the place of meetings, the quorum at those meetings and notices and other procedures for committee and subcommittee meetings.
- A Council must have Standing Orders for the procurement of contracts.

Chippenham Town Council has made some modifications to the template as provided by the National Association of Local Councils. It has produced its own version to ensure that it operates effectively, at the same time as adhering to statutory requirements.

**Matters that appear in bold are mandatory statutory requirements**

Reviewed and updated in March 2018

Amended on 26 September 2018

Amended on 15 January 2020

Review Date: every three years unless an earlier review is required or requested.

To be reviewed via the Strategy and Resources Committee

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## 1. STANDING ORDERS GENERALLY

- 1.1 All or part of a Standing Order, except one that incorporates **mandatory statutory requirements (in bold)**, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- 1.2 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 signed by at least three Councillors to be given to the Chief Executive in accordance with Standing Order 18.
- 1.3 At that meeting the motion shall not be carried unless two thirds of the Councillors present and voting vote in favour of the same.
- 1.4 The Chief Executive shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible after he has completed the Declaration of Acceptance of Office.
- 1.5 The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.

## 2. DEFINITIONS

### 2.1 CLEAR DAYS

The minimum three clear days for notice of a meeting does not include the day on which the 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.

### 2.2 LOCATION OF MEETINGS

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.

### 2.3 QUORUM

No business may be transacted at a Council meeting unless at least one third of the whole number of Councillors of the Council are present and in the case of committees and sub-committee at least one third of the committee or sub-committee Councillorship.

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.

### 2.4 APOLOGIES

Apologies for absence must be received by the Chief Executive, and the reasons for absence at a meeting must be given, in advance of the meeting.

## **2.5 PUBLIC ATTENDANCE**

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.

## **3. POLITICAL BALANCE**

- 3.1 Chippenham Town Council is composed of Councillors who have declared their alliance with a political party, or who have stated that they are independent of a political party. Wherever possible composition of committees will be undertaken along political proportionality, other than the Human Resources Committee.

## **4. HIERARCHY OF MEETINGS**

- 4.1 Chippenham Town Council has adopted to use a committee structure in order to conduct its business. Full Council determines the scope and responsibilities of other committees and Standing Orders sets out the roles and responsibilities. There is a system of committee and sub committees and on occasions, working parties, Steering or Advisory Groups are set up with a specific remit.

## **5. COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- 5.1 **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and Councillors shall be determined by the committee.**
- 5.2 **The Councillors of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.**
- 5.3 Chippenham Town Council may appoint standing committees or other committees and:
- a) Shall determine their terms of reference
  - b) Shall determine the number and time of the ordinary meetings of the standing committee up until the date of the next annual meeting of full Council
  - c) Shall appoint and determine the terms of office of Councillors 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, other than the Human Resources Committee
    - ii. Strategy and Resources Committee, the Amenities, Culture and Leisure Committee and the Planning, Environment and Transport Committee will comprise twelve Councillors.
    - iii. The Human Resources Committee will comprise of nine Councillors.

- iv. In the case of the Planning, Environment and Transport Committee there will be at least one Councillor from each ward
- d) Any Councillor can be nominated as a substitute to the above standing committees and sub/committees having formerly tendered their apologies to the Chief Executive prior to the commencement of the meeting.
- e) There shall be no maximum number of substitutes per meeting.
- f) A Councillor of a committee who has been replaced at a meeting by a substitute Councillor 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 Councillor takes over full debating and voting rights at that meeting.
- g) After it has appointed the Councillors of a standing committee, those Councillors shall appoint the Chairman from among their number at the first meeting of that committee after the annual meeting, other than Strategy and Resources, where the Chairman is the appointed Leader of the Council
- h) Shall permit a committee / sub-committee/working party, to appoint its own Chairman at the first meeting if not appointed at the annual Council meeting
- i) Shall determine the place, and notice requirements for a meeting of a committee and a sub-committee. The quorum shall be no less than three Councillors
- j) May dissolve a committee
- k) Each Councillor shall be appointed to at least one Standing Committee.

## **6. WORKING PARTIES**

- 6.1 The Council and Standing Committees may appoint Working Parties without delegated powers comprising of a maximum of nine Councillors with powers to co-opt non-Councillors on a non-voting basis. The Chairman has authority to invite other Councillors to attend the meeting. The quorum of any working party must be at least three Councillors.
- 6.2 Working Parties shall be convened via a report from the Chief Executive to Council or a Standing Committee or a Councillor motion to Council.
- 6.3 Working Parties shall be reconstituted if required at the first meeting of Council or the relevant Committee of each municipal year.

## **7. STEERING GROUPS AND ADVISORY GROUPS**

- 7.1 Steering Groups and Advisory Groups shall consist of six councillors to be determined by Full Council or the relevant Standing Committee that set up the group.
- 7.2 The Chairman of any Steering or Advisory Group shall be elected from within the councillor representation. The Chairman will be ratified by the parent committee or Full Council at the first meeting of each municipal year.

- 7.3 If neither the Chairman nor Vice Chairman are present at a meeting, another Councillor will be elected to Chair the meeting.
- 7.4 The Chairman of the Council will automatically be allocated the first place on the Steering or Advisory Group if constituted by Full Council and will automatically be the Chairman.
- 7.5 A substitute councillor can be nominated to attend a Steering or Advisory Group meeting.
- 7.6 Steering Groups and Advisory Groups shall consist of six members of the public, the process of determining the six members of the public to the Steering or Advisory Group, or any other council forum, where public participation is being sought, shall be delegated to the Chief Executive and the decision to appoint any member of the public to the Group, or forum, shall be delegated to the Chief Executive in consultation with the Chairman and Leader of the Council.
- 7.7 The Terms of Reference shall be agreed by Council or the Standing Committee who appointed the Steering or Advisory Group.
- 7.8 The Steering or Advisory Group shall report back to Council or the Standing Committee who appointed it.
- 7.9 Any meeting of the Steering or Advisory Group will be quorate if at least three councillors are in attendance.
- 7.10 All members who sit on the Steering or Advisory Group, including Councillors and members of the public, will be bound by the seven principles of public life; Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. Members of the Steering or Advisory Group will also be bound by the rules of confidentiality where appropriate.
- 7.11 All members who sit on the Steering or Advisory Group, including Councillors and members of the public, shall declare any conflict of interest at the beginning of each meeting.

## **8. THE ROLE OF THE LEADER**

- 8.1 The role of Leader of Council (or Deputy Leader in their absence) is to:
- a) Provide leadership to the Council but with no executive powers
  - b) Act as a liaison between the Chief Executive in indicating priorities and programmes for inclusion in Council business
  - c) Be responsible for working with other Councillors as appropriate to outline the Council strategy
  - d) Be first point of contact for the Chief Executive when a political or policy response is needed

## **9. THE ROLE OF THE GROUP LEADERS**

- 9.1 In line with the political composition and proportionality of the Council the Council has identified the role of group leaders, for each political party or for a group of Councillors who are not Councillors of a political party.
- 9.2 The role of the Group Leaders is to:
- a) Ensure that each Councillor within that group has the opportunity to fill a seat on a committee and sub-committee and working party
  - b) Compile the list of proposed Councillors and a substitute Councillor for each standing committee and sub-committee at each annual town Council meeting. There shall be no designated substitute elected for PET Committee, if a Councillor is unable to attend it is their responsibility to nominate a councillor from the same ward to attend the PET meeting in their place.
  - c) Invite the group substitute Councillor to attend a committee or sub-committee meeting when a vacancy is made, either due to a Councillor being absent or a Councillor submitting their resignation to that committee.

## **10. THE ROLE OF THE CHAIRMAN**

- 10.1 Chairman's announcements are for this purpose only and are not to be used for debate.
- 10.2 All Councillors who wish to become Committee, Working Party, Steering Group or Advisory Group Chairmen or Vice Chairmen shall have undertaken the "Chairmanship skills" training when taking on that role within their term of office (4 years).

## **11. THE ROLE OF THE PROPER OFFICER (TO BE KNOWN AS THE CHIEF EXECUTIVE)**

- 11.1 The Chief Executive shall undertake the duties of the Proper Officer. In his / her absence the role will be undertaken by one of the Directors as nominated by the Chief Executive.
- 11.2 The Chief Executive shall:
- a) **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 and place and the agenda and the email shall contain the electronic signature and title of the Chief Executive.**
  - b) **Give public notice of the time and place and provide the 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 the agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)**
  - c) Subject to Standing Order 18 include on the agenda all motions in the order received unless a Councillor has given written notice at least two days before the meeting confirming his withdrawal of it;

- d) **Convene a meeting of Full Council for the election of a new Mayor, occasioned by a casual vacancy in his office**
  - e) Facilitate inspection of the minute book by local government electors
  - f) **Receive and retain copies of byelaws made by other local authorities**
  - g) Retain Declarations of Acceptance of Office from Councillors
  - h) Retain a copy of every Councillor's Register of Interests
  - i) Responsible for 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
  - j) Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary
  - k) Manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form
  - l) Arrange for legal deeds to be executed. Legal deeds to be sealed using the Council's seal shall be witnessed by any two Councillors and the Chief Executive, or appointed deputy.
  - m) 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.
  - n) Arrange for every planning application notified to the Council and the Council's response to the local planning authority to be recorded
  - o) Manage access to information about the Council via the publication scheme; and retain custody of the seal of the Council.
- 11.3 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 warrant delay. This delegated authority shall only be exercised in consultation with the Leader and / or Deputy Leader.
- 11.4 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 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. 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, by completing the Delegated Authority (Urgent Action) form.
- 11.5 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.

## **12. COUNCIL MEETINGS**

### **12.1 BUSINESS TO BE TRANSACTED AT ANNUAL COUNCIL MEETING**

- a) In an election year, the annual meeting of the Council shall be held on or within fourteen days following the day on which the new Councillors elected take office.**
- b) In a non-election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c) In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- d) If no other time is fixed, the annual meeting of the Council shall take place at 7pm**
- 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 Deputy Town Mayor.**
- f) The Town Mayor shall carry out the role and duties of office in accordance with the approved Mayor's Protocol**
- g) The Deputy Town Mayor will automatically be nominated for the position of Town Mayor at the Annual Town Council meeting for the following year**
- h) Other nominations for Town Mayor and Deputy Town Mayor to be submitted in writing to the Chief Executive at least seven clear days before the Annual Town Council meeting**
- i) The Town Mayor, unless he / she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council**
- j) The Deputy Town Mayor of the Council, unless he / she resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the Council**
- k) In an election year, if the current Town Mayor has not been re-elected as a Councillor of the Council, he shall preside at the meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes**
- l) In an election year, if the current Town Mayor has been re-elected as a Councillor of the Council, he / she shall preside at the meeting until a new Town Mayor has been elected. He / she may exercise an original vote in respect of the election of the new Town Mayor and must give a casting vote in the case of an equality of votes.**

- m) Following the election of the Town Mayor and Deputy Town Mayor of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
- i. **In an election year, completion by all Councillors of their Declaration of Acceptance of Office unless the Council resolves for this to be done at a later date**
  - ii. **In a year which is not an election year, completion by the Town Mayor of their Acceptance of Office unless the Council resolves for this to be done at a later date**
  - iii. Confirmation of the accuracy of the minutes of the last meeting of the Council
  - iv. Receipt of the minutes of the last meeting of any committee
  - v. Consideration of the recommendations made by any committee
  - vi. Review of delegation arrangements to committees, sub-committees, staff and other local authorities, as required
  - vii. Review of the terms of reference for committees, as required
  - viii. To elect a Leader of Council who shall also be Chairman of the Strategy and Resources Committee
  - ix. To elect a Deputy Leader who shall also be Vice Chairman of the Strategy and Resources Committee
  - x. Appointment of Councillors to standing committees
  - xi. Appointment of any new committees, as required
  - xii. Review and adoption of appropriate Standing Orders and Financial Regulations, as required
  - xiii. 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, as required
  - xiv. Review of representation on or work with external bodies and arrangements for reporting back, as required
- n) 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 General Power of Competence

- o) Confirm the time and place of ordinary meetings of the full Council and committees and sub committees up to and including the next annual meeting of the Council.

### **13. EXTRAORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES AND SUB-COMMITTEES**

- 13.1 The Town Mayor may convene an extraordinary meeting of the Council at any time.
- 13.2 If the Town 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, in consultation with the Chief Executive.
- 13.3 The Chairman of a committee, or sub-committee, may convene an extraordinary meeting of the committee, or sub-committee, at any time.
- 13.4 If the Chairman of a committee, or sub-committee, does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by four Councillors of the committee, or sub-committee, any four Councillors of the committee, or sub-committee may convene an extraordinary meeting of a committee, or sub-committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the four Councillors, in consultation with the Chief Executive.

### **14. PUBLIC ATTENDANCE AND PARTICIPATION AT MEETINGS**

- 14.1 Members of the public may make representations, ask questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- 14.2 The period of time designated for public participation at a meeting shall not exceed thirty minutes unless directed by the Chairman of the meeting.
- 14.3 Questions at a committee / sub-committee meeting must be within the remit of the committee.
- 14.4 When a Chippenham Town Councillor not on the committee wishes to put a question in public forum, that question will be taken before questions from other Councillors before the public.
- 14.5 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 be appointed. However, the Chairman will determine if an individual member can speak for longer than three minutes if the public question session does not exceed thirty minutes.
- 14.6 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.
- 14.7 A person shall raise his hand when requesting to speak and may remain seated

- 14.8 A person who speaks at a meeting shall direct his comments to the Chairman of the meeting
- 14.9 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.
- 14.10 Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted without the Council's consent.
- 14.11 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.

## **15. MEETINGS GENERALLY**

- 15.1 Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Town Mayor or Chairman of a Committee may in his absence be done by, to or before the Deputy Town Mayor or Vice-Chairman of a committee.
- 15.2 The Town Mayor will preside at the first meeting of each Standing Committee and Sub Committee in each municipal year.
- 15.3 The Town Mayor will preside at Town Council meetings. If the Town Mayor is absent from a meeting, the Deputy Town Mayor, if present, shall preside. If both the Town Mayor and Deputy Town Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- 15.4 At a Committee meeting or Sub Committee meeting the Chairman of that meeting will preside. If the Chairman is absent from the meeting, the Vice Chairman will 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.
- 15.5 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.
- 15.6 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.
- 15.7 Meetings should aim to be completed in a two hour period. Evening meetings should be completed by 9pm. In exceptional circumstance the Chairman may use his discretion to continue to a reasonable time, having consulted with councillors in advance of the 2 hour point.

## **16. VOTING AND RECORDED VOTES**

- 16.1 Unless standing orders provide otherwise, voting on a question shall be by a show of hands.
- 16.2 Before a vote is taken and at the request of any 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.

- 16.3 Before a vote is taken, any individual Councillor may request that the minutes record the way the individual councillor votes.**
- 16.4 A recorded vote will always be taken at the meeting that determines the Council's annual budget and precept.
- 17. RULES OF DEBATE AT MEETINGS**
- 17.1 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.
- 17.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 17.3 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.
- 17.4 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 17.5 If an amendment to the original motion is carried, the amended motion becomes the substantive motion upon which further amendment(s) may be moved.
- 17.6 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.
- 17.7 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.
- 17.8 Subject to standing order 15, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- 17.9 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.
- 17.10 A Councillor may not move more than one amendment to an original or substantive motion.
- 17.11 At the end of debate, at the Chairman's discretion, the mover of the amendment has a right to make concluding remarks.
- 17.12 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.
- 17.13 Unless permitted by the Chairman of the meeting, a Councillor may only speak once in the debate on a motion except:
- a) to speak on an amendment moved by another Councillor;

- b) To move or speak on another amendment if the motion has been amended since he last spoke;
- c) To make a point of order;
- d) To give a personal explanation; or
- e) In exercise of a right of reply.

17.14 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. A point of order shall be decided by the Chairman of the meeting and his decision shall be final.

17.15 When a motion is under debate, no other motion shall be moved except:

- a) To amend the motion;
- b) To proceed to the next business;
- c) To adjourn the debate;
- d) To put the motion to a vote;
- e) To refer a motion to a committee or sub-committee for consideration;
- f) To exclude the public and press;
- g) To adjourn the meeting; or
- h) To suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

17.16 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.

17.17 Excluding motions moved under Standing Orders 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.

**(See page 37 for a flow chart of motions and amendments)**

## **18. DISORDERLY CONDUCT AT MEETINGS**

18.1 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.

18.2 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 and asked to

leave the premises. The motion, if seconded, shall be put to the vote without discussion.

- 18.3 If a resolution made under the Standing Order 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.

## **19. PREVIOUS RESOLUTIONS**

- 19.1 A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least four Councillors to be given to the Chief Executive in accordance with Standing Orders or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

- 19.2 When a motion moved pursuant to standing order 17.1 has been disposed of, no similar motion may be moved within a further six months.

## **20. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE CHIEF EXECUTIVE**

- 20.1 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.

- 20.2 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 Chief Executive at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

- 20.3 The Chief Executive may, before including a motion on the agenda received in accordance with standing order 18.1, correct obvious grammatical or typographical errors in the wording of the motion.

- 20.4 If the Chief Executive considers the wording of a motion received in accordance with standing order 18.1, is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Chief Executive so that it can be understood at least seven clear days before the meeting.

- 20.5 If the wording or subject of a proposed motion is considered improper, the Chief Executive 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.

- 20.6 The decision of the Chief Executive as to whether or not to include the motion on the agenda shall be final, save for standing order 17.1.

- 20.7 The Lead Officer for each committee / sub-committee will consult with the Chairman of the forthcoming meeting on the proposed agenda in accordance with the adopted Councillor / Employee protocol.

- 20.8 The decision of the Chief Executive on the content of the agenda shall be final.

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

- 21.1 The following motions may be moved at a meeting without written notice to the Chief Executive:
- a) To correct an inaccuracy in the draft minutes of a meeting
  - b) To move to a vote
  - c) To defer consideration of a motion
  - d) To refer a motion to a particular committee or sub-committee
  - e) To appoint a person to preside at a meeting
  - f) To change the order of business on the agenda
  - g) To proceed to the next business on the agenda
  - h) To require a written report
  - i) To appoint a committee or sub-committee and their Councillors
  - j) To extend the time limits for speaking
  - k) To exclude the press and public from a meeting in respect of confidential or sensitive
  - l) Information which is prejudicial to the public interest
  - m) To not hear further from a Councillor or a member of the public
  - n) To exclude a Councillor or member of the public for disorderly conduct
  - o) To temporarily suspend the meeting
  - p) To suspend a particular standing order (unless it reflects mandatory statutory requirements);
  - q) To adjourn the meeting
  - r) To close a meeting.

## **22. MINUTES OF MEETINGS AND DRAFT MINUTES OF MEETINGS**

- 22.1 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.
- 22.2 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy.

- 22.3 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.
- 22.4 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.
- 22.5 The minutes of a meeting shall include as an accurate record of the following:
- a) **the time and place of the meeting**
  - b) **the names of Councillors present and absent**
  - c) **Interests that have been declared by Councillors and when a Councillor arrived (if after the start) and left the meeting;**
  - d) **If there was a public participation session**
  - e) **The resolutions made.**

## **23. CIVIC EVENTS**

- 23.1 Councillors are expected to attend Civic Events and should send apologies to the Chief Executive as per committee meeting if unable to attend.

## **24. RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- 24.1 Unless authorised by a resolution, no individual Councillor shall:
- a) Inspect any land and/or premises which the Council has a right or duty to inspect
  - b) Issue orders, instructions or directions to staff, stakeholders or external partners.

## **25. CODE OF CONDUCT COMPLAINTS**

- 25.1 All Councillors shall abide by the Town Council's Code of Conduct and abide by the seven principles of public life; Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.
- 25.2 **Upon notification by Wiltshire Council that it is dealing with a complaint that a Councillor has breached the Council's code of conduct, the Chief Executive shall report this to the Council.**
- 25.3 The Council may:
- a) Provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - b) Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

25.4 Upon notification by Wiltshire Council that a Councillor 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.

## **26. HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION**

26.1 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.

26.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## **27. DISPENSATIONS**

**27.1 Dispensation requests shall be in writing and submitted to the Chief Executive in accordance with the Council's Dispensations Policy.**

27.2 A decision as to whether to grant a dispensation shall be made in accordance with the Council's Dispensations Policy and that decision is final.

27.3 A dispensation request shall confirm:

- a) The description and the nature of the disclosable pecuniary interest or non-pecuniary interest to which the request for the dispensation relates
- b) Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- c) The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- d) An explanation as to why the dispensation is sought.

**27.4 A dispensation may be granted in accordance with standing order 24 if having regard to all relevant circumstances the following applies:**

- a) 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**
- b) Granting the dispensation is in the interests of persons living in the Council's area or**
- c) It is otherwise appropriate to grant a dispensation.**

27.5 Unless he has been granted a dispensation, a Councillor shall withdraw from a meeting when it is considering a matter in which he has another interest if so required. He may return to the meeting after it has considered the matter in which he had the interest.

## **28. REQUESTS FOR INFORMATION**

- 28.1 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 and other legislation.

## **29. COMMUNICATING WITH WILTSHIRE COUNCILLORS**

- 29.1 An invitation to attend a meeting of the Council or the standing committees of the Council shall be sent, together with the agenda and reports, to the ward Councillor(s) of Wiltshire Council representing that area of the Council.

## **30. RELATIONS WITH THE PRESS / MEDIA**

- 30.1 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.

## **31. RESPONSIBLE FINANCIAL OFFICER**

- 31.1 The Council shall appoint a Responsible Financial Officer who does not have to be the Chief Executive. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## **32. ACCOUNTS AND ACCOUNTING STATEMENTS**

- 32.1 "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils - a Practitioners' Guide (England).
- 32.2 All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- 32.3 The Responsible Financial Officer shall provide to Councillors via the Strategy and Resources Committee, as soon as practicable after 30 June, 30 September and 31 December and 31 March in each year, a statement to summarise:
- a) the Council's receipts and payments for each quarter;
  - b) the Council's aggregate receipts and payments for the year to date
  - c) the balances held at the end of the quarter being reported
  - d) and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 32.4 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- a) each Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and

- b) to the Full Council the accounting statements for the year in the form of Section 1 and 2 of the Annual Return, as required by proper practices, for consideration and approval.
- 32.5 The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (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.

### **33. FINANCIAL CONTROLS AND PROCUREMENT**

- 33.1 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:
- a) the keeping of accounting records and systems of internal controls;
  - b) the assessment and management of financial risks faced by the Council;
  - c) 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;
  - d) the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
  - e) procurement policies including the setting of values for different procedures where a contract has an estimated value of less than £25,000.
- 33.2 Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- 33.3 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 below.
- 33.4 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: a specification for the goods, materials, services or the execution of works shall be drawn up;
- a) 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
  - b) The invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate

- c) Tenders are to be submitted in writing in a sealed marked envelope addressed to the Chief Executive;
- d) Tenders shall be opened by the Chief Executive, or one of the Directors as nominated by the Chief Executive, in the presence of at least one Councillor after the deadline for submission of tenders has passed;
- e) Tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- f) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- g) Where the value of a contract is likely to exceed the 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.

**33.5 Determination of precept can only be made by Council.**

### 1. TERMS OF REFERENCE FOR COMMITTEES

- 1.1 The Town Council shall appoint four Standing Committees:
- Amenities, Culture and Leisure Committee
  - Human Resources Committee
  - Planning, Environment and Transport Committee
  - Strategy and Resources Committee
- 1.2 The Town Council may determine the numbers of any or all Committees without the need to amend Standing Orders.
- 1.3 Where any decision of a Standing Committee, Sub-Committee, Working Party, Steering or Advisory 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.
- 1.4 Each Councillor of the Town Council shall be appointed to at least one Standing Committee.
- 1.5 Any Member of the Town Council may attend meetings of any Committee, Sub Committee, Working Party, Steering Group or Advisory 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.
- 1.6 All committee meetings are open to the public and will include a period of public question time.

## 2. FULL COUNCIL

### 2.1 Matters to be resolved only by Council include:

- a) Agreeing a budget
- b) Precepting a rate
- c) Borrowing Money
- d) Approving the end of year Accounts and Annual Return
- e) Incurring capital or revenue expenditure which is over and above the Council's approved budget
- f) Making, amending or revoking Standing Orders, Financial Regulations or Duties and Powers and Chief Executive provisions
- g) Fixing the number of Committees, and the names and number of Councillors appointed to each Committee
- h) Agreeing the names of substitute Councillors for committees
- i) Determining the functions and constitution of Committees and Sub-Committees
- j) Fixing the dates of routine meetings of the Council and its Committees
- k) Filling of Councillor vacancies occurring on any Committee. If a vacancy of a committee occurs during the year due to a Councillor's resignation from that committee the Group Leader can invite the substitute Councillor to take over that position without the need to refer the matter back to full Council. For the group leader to inform Council at the next meeting of this replacement.
- l) Appointing or nominating persons to fill vacancies on outside bodies
- m) Making, amending or revoking Bye Laws
- n) Making of Orders under any statutory powers
- o) Important matters of principle or policy which have been referred directly by committees or officers
- p) Prosecution or defence in a court of law
- q) The production and adoption of the Annual Report
- r) Response to consultations the subject of which has a significant impact to the town e.g. Core Strategy, Site Allocation Plan, Boundary Review
- s) Ratification of the appointment of the post of Chief Executive.

### **3 STRATEGY AND RESOURCES COMMITTEE (Standing Committee)**

3.1 The Committee shall consist of 12 Councillors, to comprise:

- a) The Leader (who will be Chairman)
- b) Deputy Leader (who will be Vice Chairman)
- c) The Town Mayor.

3.2 In addition to comprise nine other Councillors.

3.3 If a Councillor is unable to attend a meeting, and they have informed the Chief Executive at least 2 working days before the meeting, then the substitute Councillor is appointed to attend the meeting by the Group Leader, who at the same time shall inform the Chief Executive that they will be attending.

3.4 A Councillor of the Strategy and Resources Committee who has been replaced at a meeting by a substitute Councillor 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 Councillor taking over full debating and voting rights at that meeting.

3.5 Meetings shall have a quorum of four Councillors.

### **3.6 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:-

#### **a) 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:

- i. Openness
- ii. Inclusivity
- iii. Integrity
- iv. Accountability
- v. And in line with the identified five interlocking dimensions in a corporate governance framework consisting of:
  - Service Delivery
  - Risk Management and Internal Control
  - Structures and Processes
  - Community Focus
  - Standards of Conduct

#### **b) SERVICE DELIVERY**

- i. Develop the Council's Corporate Strategic Plan and related strategies to be presented and adopted by Council and monitor the Council's performance against these.
- ii. Performance management / measurement
- iii. Office services including telecommunications, IT and staff security.

- iv. Determination of the Terms and Conditions
- v. Payments, for the transfer of open space land or properties to the Council.
- vi. Make recommendation to the Full Council on the budget proposals of all Committees and the level of the precept to be levied each year.
- vii. Oversee Civic Matters

**c) RISK MANAGEMENT AND INTERNAL CONTROL**

- i. Be responsible for all aspects of the financial administration of the Council to comply with current statutory requirements
- ii. Arrangements for preparation of the accounts
- iii. Appointment of an independent Internal Auditor
- iv. Preparation of, and compliance with, the Council's financial regulations
- v. Maintenance of adequate systems of internal control and internal audit throughout the year.
- vi. Control and monitoring of the Council's approved budget throughout the year
- vii. 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
- viii. Develop and keep under review the Council's Medium Term Financial Plan and Investment strategy
- ix. Determine fees and charges for non-sporting facilities / services provided by the Council.
- x. Ratification of fees and charges that fall under the remit of the Amenities, Culture and Leisure Committee
- xi. Determine the need for and if necessary, recommend to Council the taking out of loans
- xii. Be responsible for all aspects of the contractual arrangements (as required)
- xiii. Service Level Agreements (as appropriate)
- xiv. Corporate property acquisition, maintenance, management and disposal.
- xv. Licences relating to the assets of the Council
- xvi. Ensure adequate insurance of all the Council's property and liabilities.
- xvii. Instigate the request for the convening of a Wiltshire Council Remuneration Panel as required, to consider the allowance payable to Councillors.
- xviii. Make recommendations to Council on:
  - Corporate Risk Strategy and Business Continuity Plan.
  - Risk Assessment
  - Risk Register

**d) STRUCTURES AND PROCESSES**

- a) Advise the Council on its Corporate Policies and Strategies.
- b) Be responsible for making recommendations to the Council on Standing Orders.
- c) Make recommendations to Council in relation to the democratic process including Elections and any legislation.

e) **COMMUNITY FOCUS**

**i. Marketing and Communications**

- a) Maintain and develop Marketing and Communications strategy (external and internal) including all Council promotional and publicity matters
- b) Act as the consultee, make representations, participate in and support as required in respect of all matters relating to Chippenham's publicity, marketing and tourism strategies
- c) Maintain and develop representation on Visit Wiltshire
- d) 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**

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

**vi. Economic Development**

Act as the consultee, make representations, participate in and support as required in respect of all matters relating to Chippenham's Economic Development including Chippenham Town Centre regeneration and major developments in the town.

- a) Representation on and liaison with Chippenham BID
- b) Advise the Council on responses to be made to issues relating to relevant local and national award schemes such as:
  - Purple Flag and Green Flag
  - Local Council Award Schemes

**vii. Community Engagement**

- a) 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
- b) Civic matters (see Civic Matters Sub Committee below)
- c) Consider community matters not covered by other committees

#### 4. **SUB COMMITTEES OF STRATEGY AND RESOURCES COMMITTEE :**

To incorporate a:

- Civic Matters Sub-Committee
- Community Donation Sub-Committee
- Dispensations Sub-Committee
- Any single issue Working Party as required from time to time

#### 5. **CIVIC MATTERS SUB COMMITTEE**

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

Meetings shall have a quorum of three Councillors.

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

#### 5.3 **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:-

- a. To maintain and monitor civic traditions of the town
- b. To act as an advisory body on all matters related to the Mayoralty
- c. To consider any changes to the Mayoral Protocol
- d. To maintain the Mayoral regalia and determine the acceptance of items into the town's regalia
- e. To recommend to Strategy and Resources Committee any changes to the Mayor's Allowances

##### **Civic Events**

- f. To oversee arrangements for any event deemed by the Strategy and Resources Committee to be a Civic led event
- g. To oversee Mayoral charitable or fundraising projects
- h. To oversee the appointment of and consider any contractual and operational matters relating to the honorary posts of Macebearer, Deputy Macebearer and Town Crier
- i. To review and monitor spend of the Civic Matters Sub Committee in line with the Civic Matters budget

##### **Mayor's Official Christmas Card**

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

##### **Civic Awards Scheme**

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

## **Honorary Freedom of the Town**

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

## **Budget**

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

## **6. COMMUNITY DONATIONS SUB-COMMITTEE**

6.1 The Community Donations Sub-Committee shall consist of seven Councillors.

6.2 Meetings shall have a quorum of three Councillors.

### **DELEGATED AREAS OF RESPONSIBILITY:**

6.3 The evaluation of all community grants and donations and to have delegated responsibility for all decisions relating to this programme.

6.4 To exercise its delegated responsibility and make awards within an agreed budget for the financial year.

6.5 To review the criteria at the end of a financial year, and recommend any changes to Strategy and Resources, that are in keeping with the spirit of the aims and objectives of the Town Council, but mindful of changes to legislation with in the local government sector.

6.6 To prepare budget proposals for the following financial year and submit to the Strategy and Resources Committee.

## **7. DISPENSATIONS SUB COMMITTEE**

7.1 The Sub Committee shall consist of five Councillors.

7.2 Meetings shall have a quorum of three Councillors.

### **DELEGATED AREAS OF RESPONSIBILITY**

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

a) Under Section 31 of the Localism Act 2011 ("the Act"), a Councillor or co-opted Councillor 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 Councillor or co-opted Councillor is present and the disclosable pecuniary interest is one which the Councillor or co-opted Councillor is aware of, the Councillor or co-opted Councillor 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;

b) 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;

- i. That so many Councillors 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.
- c) 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.

Please note that applications for dispensation must be submitted by Councillors on an individual basis. Group applications are not permitted. The application form for a dispensation is retained by the Chief Executive.

## **8. HUMAN RESOURCES COMMITTEE (Standing Committee)**

- 8.1 The Human Resources Committee shall consist of nine Councillors. Political proportionality does not apply to this committee.
- 8.2 If a Councillor is unable to attend a meeting, and they have informed the Chief Executive at least 2 working days before the meeting, then the substitute Councillor is appointed to attend the meeting by the group leader, who at the same time shall inform the Chief Executive that they will be attending.
- 8.3 A Councillor of the Human Resources Committee who has been replaced at a meeting by a substitute Councillor 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 Councillor taking over full debating and voting rights at that meeting.
- 8.4 Meetings shall have a quorum of three Councillors.

### **DELEGATED AREAS OF RESPONSIBILITY:**

- 8.5 To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-
- 8.6 The Human Resources Committee shall have care of all matters affecting the appointment, promotion, retention, discipline, salary and conditions of service of all staff and office holders of the Council.

- 8.7 The Human Resources Committee may exercise the powers of the Council in regard to:
- a) The appointment of a Grievance and Complaints Panel to consist of three Councillors
  - b) The appointment of a Disciplinary Panel to consist of three Councillors
  - c) The appointment of a Chief Executive's Performance Review panel to consist of three Councillors
  - d) Appointments within the authorised establishment, by internal and, where appropriate, external advertisement.
  - e) Consideration to proposals to amend or increase the authorised establishment
  - f) Liaison with staff representatives.
  - g) Compliance with statutory requirements relating to employment and health and safety of staff.
  - h) The development and maintenance of policies relating to equal opportunities and access for people with impairments for existing staff and potential applicants.
  - i) The development and maintenance of all personnel related policies.
  - j) The training and development of staff.
  - k) All matters affecting the appointment, probation, promotion, discipline, salary and conditions of service of the Chief Executive.
  - l) To make a recommendation to full Council on the appointment of a Chief Executive.
  - m) To prepare budget proposals for the following financial year and submit to the Strategy and Resources Committee

9. **AMENITIES, CULTURE AND LEISURE COMMITTEE** (Standing Committee)

- 9.1 The Committee shall consist of twelve Councillors.
- 9.2 If a Councillor is unable to attend a meeting, and they have informed the Chief Executive at least 2 working days before the meeting, then the substitute Councillor is appointed to attend the meeting by the group leader, who at the same time shall inform the Chief Executive that they will be attending.
- 9.3 A Councillor of the Amenities, Culture and Leisure Committee who has been replaced at a meeting by a substitute Councillor 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 Councillor taking over full debating and voting rights at that meeting.
- 9.4 Meetings shall have a quorum of four Councillors.

**DELEGATED AREAS OF RESPONSIBILITY:**

- 9.5 To undertake, under delegated authority within the overall policies and approved budgets of the Council, the following powers, duties and functions:-
- a. Management, control and development of all playing fields, sports grounds, open spaces, play areas, and other leisure and recreational facilities in the control or ownership of the Town Council:
  - b. Support the implementation of Work Schedules for Horticultural, Grounds and all Property Maintenance
  - c. Maintenance of flowerbeds, tubs, troughs and hanging baskets and planters and any other areas owned or held by the Council on lease or license.

- d. Management and maintenance of Grounds equipment including equipment lease agreements
  - e. Management and control of the Council's statutory allotments.
  - f. Management of top-up Town Centre street cleaning including chewing gum removal, graffiti removal (following relevant permissions being granted)
  - g. Management of any external contractors required to carry out work on Council grounds or property
  - h. Promote and maintain the town's Rivers Route
  - i. Maintenance of bus shelters
  - j. Management of any fishing rights owned by the Council
  - k. Exercise the Town Council's powers to acquire maintain, provide, contribute towards expenses of burial grounds, cemeteries, monuments and memorials.
  - l. Exercise the Town Council's powers to maintain, repair, protect and adapt War Memorials.
  - m. Provide and maintain public conveniences, notice boards, litter bins etc.
  - n. Manage all bookings including contractual agreements for use of Council properties.
  - o. Manage all aspects of the town's Christmas Lights provision.
  - p. Ensure compliance with all Health and Safety legislation and risk management good practice relating to the operations of the Service Delivery Department.
- 9.6 Oversee the provision of and management and strategic development of the Museum and its associated services and activities.
- 9.7 Oversee the provision of and management and strategic development of the Neeld as a Community and Arts Centre
- 9.8 Oversee the provision of and the management and strategic development of the Town Hall and Yelde Hall and other Council facilities to maximise their potential for Council use and community and private function hire
- 9.9 Oversee the provision of the Customer Information Point and associated services and activities
- 9.10 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.
- 9.11 Promote the provision of culture / leisure and visitor facilities for all people including people with disabilities.
- 9.12 Recommend fees and charges on sporting facilities and room hire and other related activities to Strategy and Resources Committee.
- 9.13 To advise the Council on its recreational, open space, cemetery, play and allotment strategies and policies and once adopted to implement those strategies.
- 9.14 Keep under review the need for additional community facilities and make recommendations to Council as to how to satisfy such need.
- 9.15 Consider and comment on other leisure and recreational matters affecting Chippenham as appropriate

- 9.16 Determine any Tenders to be submitted for ground works and ground maintenance for other public bodies.
- 9.17 Advise the Council on Bye-laws with respect to open space and once adopted to ensure compliance with those Bye-laws.
- 9.18 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.
- 9.19 Advise the Council on responses to be made to issues relating to relevant local and national award schemes
- 9.20 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
- 9.21 Prepare budget proposals for revenue and capital expenditure for the following financial year and submit to the Strategy and Resources Committee.
- 9.22 The Amenities, Culture and Leisure Committee may establish a single issue Working Party as required from time to time.

**10. PLANNING, ENVIRONMENT AND TRANSPORT COMMITTEE (Standing Committee)**

- 10.1 The Committee shall consist of 12 Councillors. At least one Councillor to be appointed from each of the Town Council Wards.
- 10.2 If any Councillor is unable to attend, they may appoint a substitute Councillor from the same Ward they represent providing the Chief Executive is notified at least 2 working days before the meeting.
- 10.3 A Councillor or the Planning, Environment and Transport Committee who has been replaced at a meeting by a substitute Councillor 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 Councillor taking over full debating and voting rights at that meeting.
- 10.4 Meetings shall have a quorum of four Councillors.

**DELEGATED AREAS OF RESPONSIBILITY:**

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

**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.

#### **10.6 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

#### **10.7 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.

#### **10.8 Alcohol restricted zones**

- i. Act as the consultee, make representations to the relevant authority on dedicated public protection orders.

#### **10.9 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.

#### **10.10 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.)

### **10.11 Community engagement**

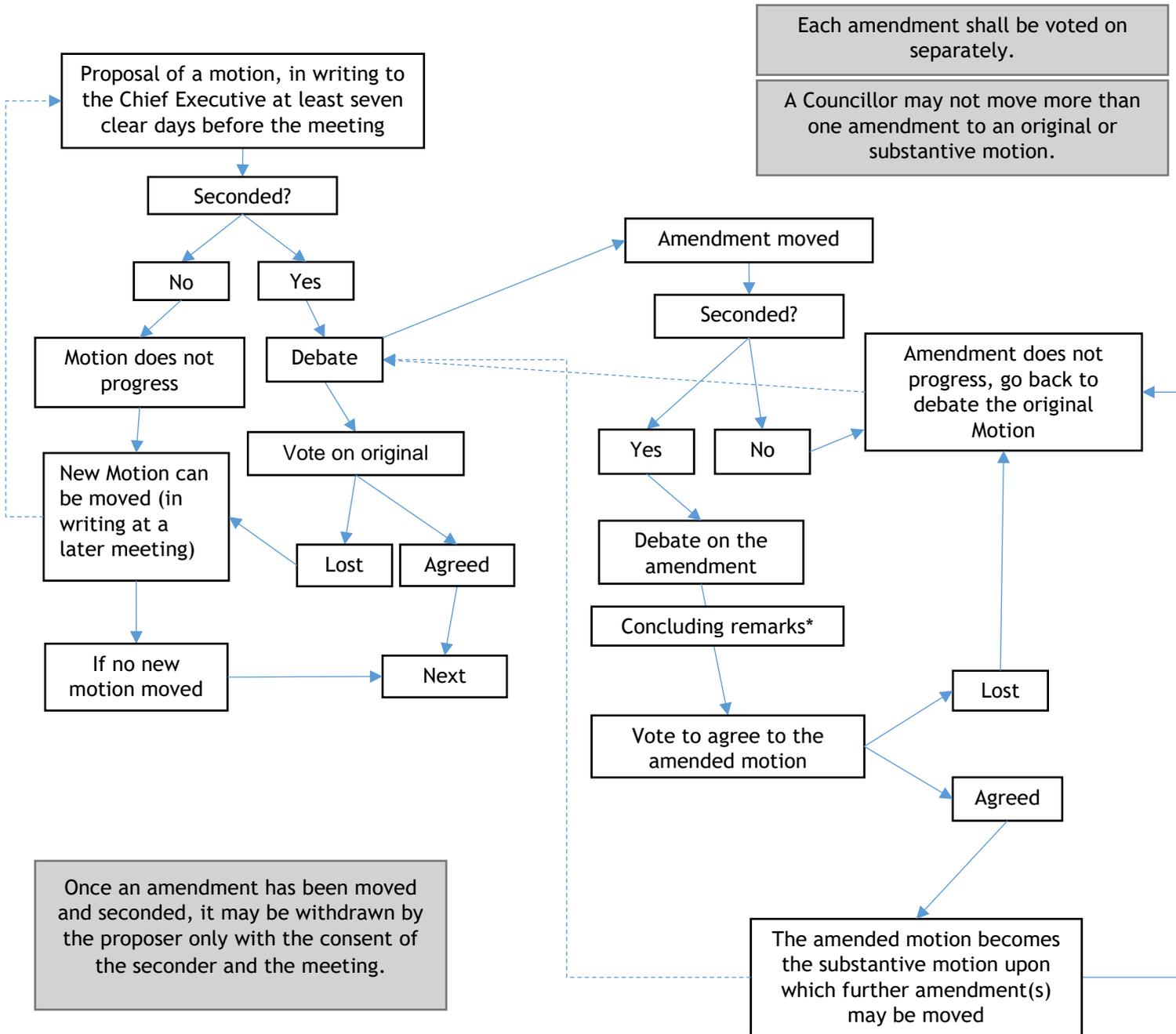
Review and promote community engagement and development, encouraging the participation of and work in partnership with other organisations and individuals with an interest in the portfolio of the committee.

### **10.12 Budget**

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

10.13 The Planning, Environment and Transport Committee may establish a single issue Working Party as required from time to time.

Motion to be proposed in accordance with Standing Orders (17 and 20). No motion may be moved at a meeting unless the mover has given written notice of its wording to the Chief Executive at least seven clear days before the meeting. It is the right of the Chief Executive to reject a motion if not clear, the decision regarding a motion rests with Chief Executive.



## Definitions

**Motion:** A proposed form of specific action and single action for a Council to take in.

**Mover:** A Councillor who proposes a motion.

**Second:** To formally support a motion so that it may be debated and put to the vote.

**Secunder:** A Councillor who formally seconds a motion.

**Amendment:** A proposal to remove or add words to a motion. It shall not negate the motion.

**Substantive Motion:** The motion that is debated after an amendment is carried.

**\*Concluding Remarks:** At the end of debate, at the Chairman's discretion, the mover of the amendment has the right to make concluding remarks.

**Timings:** Contributions or speeches shall not exceed three minutes without the consent of the Chairman of the meeting.