

CHEPPING WYCOMBE PARISH COUNCIL
FINANCE AND GENERAL PURPOSES COMMITTEE

APPENDICES

THURSDAY 18 MARCH 2010

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CWPC In-House Audit 27 January 2010

The In house Audit was undertaken by: Mrs J Chalmers (2nd year)
Ms E Belcher (1st year)

Areas looked at: Invoices
 Ordered goods
 Identifying contractors
 Cash payments

Invoices

On receipt of an invoice the Finance Officer checks for anything unusual including amounts that are higher than expected on regular invoices.

In the case of TBS Hygiene (dog bin emptying) the invoices are sent in monthly. If any complaints are received about this service payment is not made until the matter has been investigated/resolved. If there are no complaints payment is processed.

Every invoice is numbered with the cost centre & code for what it is, the reference number allocated by OMEGA (software package from RBS software designed for use by councils) and the payment cheque number.

Cheques are written and checked for accuracy then passed on to two Parish Councillors, usually coinciding with meetings, for signature. The cheque amounts are removed from the bank account and entered into the Purchase Day Book within OMEGA.

We followed payment of some invoices including one from SEC which included the cost of a knockdown. In this case an invoice was issued by SEC following an emergency disconnection. A quote for replacement was sent to CWPC then approved by the Chairman of WS&P. A further invoice was received after the replacement work had been carried out. We were able to see how the cost of replacing the knockdown was recovered, including the Admin fee (15%), from the party causing the knockdown.

It was decided that there was a good system in place and we did not need to add or change anything.

Ordered goods

Items are ordered from suppliers which provide the best deal. The Warden/Assistant Clerk are aware of such suppliers through their years of experience in post and through checking and updating their knowledge.

On receipt of goods they are *checked off against the documentation received with them i.e. despatch /delivery note or invoice. When the Warden orders goods he writes on the delivery paperwork what the items are required for. There is not an order book where items are recorded. (Standing Orders, Financial Regulations 10.2 Order books shall be controlled by the RFO).

* Complying with Standing Orders, Financial Regulations 13.2

Office stationery is checked against the invoice and placed in one of the many storage areas.
Payment for goods is covered under invoices above.

We did not embark upon a series of trips to count plants/trees, screws, bolts etc that have been used on jobs or indeed count remaining stock of some of the items ordered as this was considered unnecessary.

At first it was thought that an order book was not necessary to use however, it is mentioned in standing orders. The question now is whether to use one or not? If not, then standing orders would need to be adjusted accordingly. The use of one would localise ordered goods rather than searching through invoices.

Standing Orders, Financial Regulations 10.1 An official order or letter or electronic transmission shall be issued for all work, goods and services..... Some of the orders are generated by a phone call therefore it is not in compliance with Standing Orders.

Identifying Contractors

Contractors are identified by listings in the yellow pages, experience of use in the past and an awareness of contractors available. Dependant upon how specialised a job is there are limitations to the number of contractors available. The Warden will approach contractors within his area of knowledge with the Clerk dealing with other areas.

When the quotes have been received they are submitted for approval by Council, Committees or Chairman.

The system is good.

Cash payments

Some payments are made by cash i.e. payment of allotment fees and for maps. When a cash amount is made into the Office a receipt is issued. The same receipt book has been in use for some time as there is not a great deal of activity in cash payments. If a receipt is declined the top copy is retained along with our carbon copy in the receipts book. Cheques received will also have a receipt issued.

The cash is entered together with cheques into the bank paying in book.

All cash payments are entered into the cashbook section of OMEGA under their relevant cost centre and code.

Other matters

We asked some other questions as follows.

Q1. How is the precept credited into the CWPC account and is it on the date specified for payment?

Ans. The amount is paid by BACS and checked on arrival of the bank statement. The Finance Officer is unable to check transactions within the account as they are not a signatory.

Q2. How are allotment holders invoiced?

Ans. Two allotment inspections are carried out each year by the Chairman of Leisure Facilities, the Assistant Clerk & the Warden. They occur in late spring and harvest time (August) to check for problems. If all is well letters and invoices are sent out together with a returns slip.

Payments are received by cheque, cash and postal order. When payment is received, to continue renting, the holder is checked off on the allotments list.

Once payment is received it is entered into the Barclays paying in book with the allotment plot number recorded alongside. It is then entered into the cash book section of OMEGA.

Flackwell Heath Bowling Club

Secretary John Radford, President Brian Webb, Treasurer Rex Tilbury

Reply to: 46, Carver Hill Road, High Wycombe
Bucks, HP11 2UA 01494 530610

e-mail: jean46johnr@sky.com

19th February 2010

Mr H Jones
Clerk to the Council
Chepping Wycombe Parish Council
Council Office, Cock Lane,
Tylers Green
High Wycombe
HP10 8DS

Dear Mr Jones,

Grant Application

Flackwell Heath Bowling Club wish to apply for a grant towards the cost of our kitchen renovation.

During the 2009 season we were only able to provided tea and biscuits for our matches. Our existing layout and facilities made catering for a full after match meal both difficult and tiring for our volunteer caterers. This situation caused considerable embarrassment with visiting teams who provided us with full meals when we visited them, and it is possible that we may lose some fixtures as a result.

Such a loss of fixtures would cause a collapse in revenue and could potentially cause a complete collapse of the club.

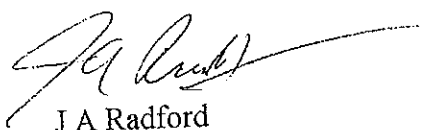
To avoid his situation, and to bring ourselves in line with other local clubs with whom we have playing commitments, our committee has resolved as a matter of priority, to renew our kitchen.

The cost is estimated at £5600.

Although our funds appear adequate for this, we owe our members over £8000 in interest free loans lent by them in November 2008. We also have an outstanding loan to Bowls England of about £2000.

We therefore request that you consider our application for a grant of £1000, or the maximum available from your existing resources.

Yours faithfully
For and on behalf of the Committee FHBC


J A Radford
Secretary.

Enc. A copy of FHBC accounts for the year to end September 2009

FLACKWELL HEATH BOWLING CLUB

Statement of Accounts - Year to 30 September 2009

REVENUE and EXPENDITURE STATEMENT
REVENUES

REVENUE AND EXPENDITURE STATEMENT					
REVENUES		£	£	£	£
Subscriptions/Joining Fees	- Subscriptions - Chestnuts Membership - Joining Fees	5565.00 110.00 <u>80.00</u>	5755.00	5,650.00 140.00 <u>240.00</u>	6030.00
Matches (including ladies)	- Match Fees - Chestnuts	3079.51 <u>580.00</u>	3659.51		2283.76
Bar	- Bar Sales	<u>3788.73</u>		3512.58	
- Opening Stock	229.50				
- Bar Expenditure	1915.62			1764.19	
- Closing Stock	156.00		1799.61		1748.39
Fund Raising	- Lottery - Donations - Donations for Ditches - Social Events - Books & Puzzles - Concert Draw - Whist Drives / Crib Night - Tea & Coffee - Clothing Sales - Advertising	1475.50 113.19 272.00 388.62 52.75 210.50 240.46 250.00 1000.00 <u>39.50</u>	4003.02	1228.02 30.00 112.50 59.20 50.50 268.25 216.58 275.00 700.00	2940.05
Regalia	- Regalia Sales			97.15	
- Opening Stock	184.72			120.34	
- Expenditure	0.00		-145.22	198.66	
- Closing Stock	0.00			<u>184.72</u>	134.28 -37.13
Club Shirts	- Club Shirt Sales	612.00			
- Expenditure	788.51				
- Closing Stock	299.20	<u>489.31</u>	122.69		
- Other Revenues	- Green Fees - Bucks Masonic Centenary Fund - Club Competition Fees - Charity Money Raised - Dinner Dance 2008 - Miscellaneous	146.50 3100.00 187.50 4.00 -147.50 125.00 <u>3415.50</u>	8100.00	743.10 180.00 100.00 <u>552.40</u>	1575.50
Members Interest Free Loans					
Interest on Accounts	TOTAL	656.51 <u>27366.62</u>		TOTAL	683.87 <u>15224.44</u>
EXPENDITURE					
Pavilion Expenditure	- Major Costs - Electricity - BT Rental & Calls - Alarm System & Maintenance - Other Running Costs	806.18 281.70 796.01 67.60 <u>1951.49</u>		6001.73 1074.33 278.04 274.37 135.53	7764.00
Green Expenditure	- Cost of Materials - Bicester Turf Care - Water - Equipment Costs - Other - Ditches	0.00 3077.87 465.03 468.86 182.17 15004.98 <u>19198.91</u>		1773.77 1300.00 694.90 802.88 117.76	4689.31
General Expenses	- Insurance - Rent to Council - Committee Expenses - Subs / Affiliations - Hedgecutting - Honour's Board - Trophies & Comp Expenses - Charity Money Given - General Maintenance - Catering - Other	764.00 600.00 257.37 655.50 300.00 95.00 424.15 4.00 53.36 169.74 2929.71 <u>6252.83</u>		325.48 600.00 209.96 588.30 455.00 95.00 305.55 112.00 96.60 93.30 1574.70	4755.89
	TOTAL	<u>27403.23</u>		TOTAL	<u>17209.20</u>
		<u>-36.61</u>			<u>-1984.76</u>
REVENUE LESS EXPENDITURE					

FLACKWELL HEATH BOWLING CLUB

Balance Sheet - Year to 30 September 2009

		2008
Accumulated Fund at start of Year	13944.93	15429.69
Total Revenues	27366.62	15224.44
Total Expenditure	27403.23	17209.20
Revenue less Expenditure	-36.61	-1984.76
Grant from CWPC		<u>500.00</u>
Accumulated Fund at end of year	<u>13908.32</u>	<u>13944.93</u>
Represented by :-		
H S B C Treasurer Account	2537.57	2703.02
Investment Account		10777.69
Anglo Irish Savings Account	5181.55	
Members Interest Free Loans	<u>8100.00</u> 13281.55	
Bowls England Loan	4000.00	
Less repayments	<u>1584.00</u> -2416.00	
Bar Float	50.00	50.00
Stock		
- Bar Stock	156.00	229.50
- Regalia Stock	0.00	184.72
- Club Shirts	299.20	
	<u>13908.32</u>	<u>13944.93</u>

I, the appointed auditor of Flackwell Heath Bowling Club, have examined the books and records, vouchers and other statements which have been supplied to me, and have obtained such other information or explanations I consider appropriate and certify that to the best of my knowledge and belief, the forgoing 'Statement of Accounts' prepared from those records represent a true and correct statement of the financial affairs of Flackwell Heath Bowling Club for the year to 30th September 2009.

Signed Dennis Tack

Date

1 Meetings

- Mandatory for full Council meetings
- Mandatory for committee meetings
- Mandatory for 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 When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.

● c 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.

d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.

e The period of time [which is at the Chairman's discretion] OR [which is designated for public participation in accordance with standing order 1(d) above] shall not exceed () minutes.

f Subject to standing order 1(e) above, each member of the public is entitled to speak once

only in respect of business itemised on the agenda and shall not speak for more than () minutes.

g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.

h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.

i A record of a public participation session at a meeting shall be included in the minutes of that meeting.

j [A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)] OR [A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Chairman may at any time permit an individual to be seated when speaking.

k Any person speaking at a meeting shall address his comments to the Chairman.

l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

● m Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent.

● n In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

- o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).
- p 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.
- q Subject to model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- r The Chairman 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 also standing orders 2 (i) and (j) below.)
- s Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall record the names of councillors present and absent.

- u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- v The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- w An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing orders 7 and 8 below.)
- x 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 3.
- y If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
- z Meetings shall not exceed a period of () hours.

2 Ordinary Council meetings

See also standing order 1 above

- 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 6pm.
- d *(England)* 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 *(Wales)* In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council may direct.
- f The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.
- g The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- h The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- i In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

- j In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- k Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows.
 - i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - iv. Review of the terms of references for committees.
 - v. Receipt of nominations to existing committees.
 - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
 - vii. Review and adoption of appropriate standing orders and financial regulations.
 - viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back.
 - x. *(England)* In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
 - xi. Review of inventory of land and assets including buildings and office equipment.
 - xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - xiii. Review of the Council's and/or employees' memberships of other bodies.
 - xiv. Establishing or reviewing the Council's complaints procedure.

- xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- xvi. Establishing or reviewing the Council's policy for dealing with the press/media
- xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

- b The Council's Proper Officer shall do the following.

- i. [Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.]
OR
[Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer].
- ii. Give public notice of the time, date, venue and agenda at least 3 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).

- iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least () days before the meeting confirming his withdrawal of it.
- iv. Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)] OR [3(b)] above.
- v. Make available for inspection the minutes of meetings.
- vi. Receive and retain copies of byelaws made by other local authorities.
- vii. Receive and retain declarations of acceptance of office from councillors.
- viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds [to be sealed using the Council's common seal] OR [to be signed by 2 councillors] and witnessed (See also model standing orders 14(a) and (b).)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvi. Refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman of the Council] OR [Chairman or in his absence Vice-Chairman (if any) of the () Committee] within 2 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 Council] OR [() committee].

- xvii. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least () clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) 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 in clear and certain language at least () clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or 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 or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be

numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.

- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.

- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-

6 Rules of debate

- committee or an employee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed.
(See standing orders 14(a) and (b) below.)
- xvii. To authorise the payment of monies up to (£).
- xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xix. To extend the time limit for speeches.
- xx. To exclude the press and public for all or part of a meeting.
- xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxii. To give the consent of the Council if such consent is required by standing orders.
- xxiii. To suspend any standing order except those which are mandatory by law.
- xxiv. To adjourn the meeting.
- xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvi. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a)-(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

- 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 silent or for him 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;
 - ix. to suspend any standing order, except those which are mandatory.
- t In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct (England)

See also model standing orders 1(d)–(f) above

A revised statutory code of conduct is expected to come into force in 2010

- a All councillors shall observe the code of conduct adopted by the Council.
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii)

- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding () minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- 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 irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Chairman and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other

answer questions and (iii) give evidence relating to the business being transacted.

- d Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

Code of conduct (Wales)

See also standing orders 7(d)–(i) above

- a All councillors shall observe the code of conduct adopted by the Council.
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c Councillors may exercise rights contained in standing order 7(d) below, only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.
- d Councillors who have a prejudicial interest in relation to any item of business being transacted at that meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided () clear days notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect
"The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings."

- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least () councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

- a Where more than 2 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. Any tie may be settled by the Chairman's casting vote.

13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b The Council's financial regulations shall be reviewed once a year.
- c The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

14 Execution and sealing of legal deeds

See also standing order 5(a)(xvi) above

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b [In accordance with a resolution made under standing order 14(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 members of the Council who shall sign the deed as witnesses.]

(The above is applicable to a Council with a common seal.)

OR

[In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

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

15 Committees

See also standing order 1 above

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer () days before the meeting that they are unable to attend;
 - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be

- vi. may in accordance with standing orders, dissolve a committee at any time.
- permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;

16 Sub-committees

See also standing order 1 above

- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

17 Extraordinary meetings

See also standing order 1 above

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- b If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue 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 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 () days of having been requested by to do so by ()

councillors, those () councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by () councillors.

18 Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

20 Estimates/precepts

- a The Council shall approve written estimates for the coming financial year at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

21 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and

request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

24 Confidential business

- a Councillors [Wales: and employees] shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25 Power of well-being (England)

- a Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.

- b The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.

- c After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.

26 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council OR [the () committee] OR [the () sub-committee] has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman of [the () committee] OR [the () sub-committee] or, in his absence, the Vice-Chairman of [the () committee] OR [the () sub-committee] of any absence occasioned by illness or urgency and that person shall report such absence to [the () committee] OR [the () sub-committee] at its next meeting.
- c The Chairman of [the () committee] OR [the () sub-committee] or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of [the employee's job title] and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by [the () committee] OR [the () sub-committee].
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of [the ()

committee] OR [the () sub-committee] or in his absence, the Vice-Chairman of [the () committee] OR [the () sub-committee] in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of [the () committee] OR [the () sub-committee].

e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by [the employee's job title] relates to the Chairman or Vice-Chairman of [the () committee] OR [the () sub-committee], this shall be communicated to another member of [the () committee] OR [the () sub-committee], which shall be reported back and progressed by resolution of [the () committee] OR [the () sub-committee].

f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.

h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.

j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to (post holder) and/or the Chairman of the Council OR [the () committee] OR [the () sub-committee].

27 Freedom of Information Act 2000

a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the () committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

28 Relations with the press/media

a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

b In accordance with the Council's policy in respect of dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

29 Liaison 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 councillor of the District and County or Unitary Council [in Wales: County Borough

and County Council] representing its electoral ward.

- b Unless the Council otherwise orders, a copy of each letter sent to the District or County or Unitary Council [in Wales: County Borough and County Council] shall be sent to the District or County or Unitary Council [in Wales: County Borough and County Council] councillor representing its electoral ward.

30 Financial matters

- 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:
- the accounting records and systems of internal control;
 - the assessment and management of financial risks faced by the Council;
 - the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
 - procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.

- b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£60,000] shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.

- c Any formal tender process shall comprise the following steps:

- a public notice of intention to place a contract to be placed in a local newspaper;
- a specification of the goods, materials, services and the execution of works shall be drawn up;
- tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a

stated date and time;

- tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e 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.

31 Allegations of breaches of the code of conduct

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the () committee.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the () committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not

d deal with any aspect of the complaint.

d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the () committee) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

- i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
- ii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
- iii. Ensure that the public and press are excluded from meetings as appropriate.
- iv. Ensure that the minutes of meetings preserve confidentiality.
- v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the () committee or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

f The () committee shall have the power to:

- i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
- ii. seek and share information relevant to the complaint;
- iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

32 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

33 Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

List of Parish Council Powers

(this is not an exhaustive list)

Function	Powers & Duties	Statutory Provisions
Allotments	Duty to provide allotments. Power to improve and adapt land for allotments, and to let grazing rights	Small Holding & Allotments Act 1908, ss. 23, 26, and 42
Baths and washhouses	Power to provide public baths and washhouses	Public Health Act 1936, ss. 221, 222, 223 and 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1 Local Government Act 1972, s. 214(6)
Bus shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4
Bye-laws	Power to make bye-laws in regard to pleasure grounds Cycle parks Baths and washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Common pastures	Powers in relation to providing common pasture	Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime Power to contribute to police services e.g. PCSOs Duty on Parish Councils to consider crime reduction in every policy and action	Local Government and Rating Act 1997, s.31 Police Act 1996, s.92 s17 Crime and Disorder Act 1998 (as amended)
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260

Dogs	Power to make a Dog Control Order Power to take enforcement action against those who commit an offence against a Dog Control Order	Cleaner Neighbourhoods and Environment Act 2005
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Flyposting and Graffiti	Power to take enforcement action against those that flypost or graffiti	Cleaner Neighbourhoods and Environment Act 2005
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	Power to maintain footpaths and bridle-ways Power to light roads and public places Provision of litter bins Powers to provide parking places for bicycles and motor-cycles, and other vehicles Power to enter into agreement as to dedication and widening Power to provide roadside seats and shelters Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway Power to complain to highway authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes Power to provide traffic signs and other objects or devices warning of danger Power to plant trees and lay out grass verges etc. and to maintain them	Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301 Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local Government Act 1972, s.139
Litter	Provision of receptacles Power to take enforcement action against those that litter	Litter Act 1983, ss.5,6 Cleaner Neighbourhoods and Environment Act 2005
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198

Open spaces	Power to acquire land and maintain	Public Health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Telecommunications facilities	Power to pay public telecommunications operators any loss sustained providing telecommunication facilities	Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public conveniences	Power to provide	Public Health Act 1936, s.87
Sustainable communities	Able to be represented on a panel of representatives to be consulted on proposals that would contribute to sustainable communities	Sustainable Communities Act 2007
Town and country planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para. 8
Tourism	Power to encourage visitors and provide conference and other facilities	Local Government Act 1972, s.144
Traffic calming	Powers to contribute financially to traffic calming schemes	Highways Act 1980, s.274A
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport Powers to make grants for bus services	Local Government and Rating Act 1997, s.26, 28 and 29 Transport Act 1985, s.106A
War memorials	Power to maintain, repair, protect and alter war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water supply	Power to utilise well, spring or stream and to provide facilities for obtaining water from them	Public Health Act 1936, s.125
Well-Being	Power to well-being of the area (for eligible councils)	s2 and 4 of the Local Government Act 2000

Chepping Wycombe Parish Council

Standing Orders

Revised May 2005

CHEPPING WYCOMBE PARISH COUNCIL STANDING ORDERS

Items in bold cannot be suspended or varied see Standing Order 79 as they are laid down in Acts of Parliament and are compulsory.

1 MEETINGS

- (a) Meetings of the Council shall be held each year on such dates and times and at such a place as decided by the Council.
- (b) Smoking is not permitted at any meeting.
- (c) Meetings will normally be held at the Council Office, Cock Lane, Tylers Green and will start at 7.30pm unless the Council otherwise decides at a previous meeting.

A summons to attend each meeting shall be left or sent to the usual place of residence of every member of the Council six clear days before the meeting.

2. THE STATUTORY ANNUAL MEETING

- (a) In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors take office (the day of the election) and
- (b) In a year, which is not an election year, the Annual Parish Council Meeting will be held on such a day in May as the Council, may direct.

3. Three other Statutory meetings of the Council shall be held in the months of July, November and January

4. CHAIRMAN OF MEETING

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

5. PROPER OFFICER OR RESPONSIBLE FINANCE OFFICER

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

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

6 QUORUM OF THE COUNCIL

Three members or one-third of the membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

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

8. For a quorum relating to a committee or a sub-committee see Standing Order 48.

9. VOTING

Members shall vote by show of hands, or, if at least two members so request, by signed ballot.

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

11. (1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, in any case of an equality of votes may give a casting vote whether or not he gave an original vote.

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

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election of Chairman.

12. ORDER OF BUSINESS

At the Annual Council Meeting the first business shall be:

- (a). To elect a Chairman of the Council.
- (b). In an election year all councillors shall execute Declarations of Acceptance of Office in each other's presence before the Annual Council Meeting commences.
- (c). To receive the Chairman's declaration of acceptance of office, or, if not then received, to decide when it shall be received.
- (d). In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- (e). To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- (f). To elect a Vice-Chairman.
- (g). To appoint representatives to outside bodies.
- (h). To appoint committees and sub-committees.
- (i). To consider the payment of any subscriptions falling to be paid annually that have not already been paid.
- (j). To inspect any deeds and trusts investments in the custody of the Council as required.

and shall thereafter follow the order set out in the Standing Order 15.

13. At every meeting other than the Annual Council Meeting the first business shall be the appointment of a chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertake to observe the Council's code of conduct as are required by law to be made or, if not then receive, to decide when they shall be received.

14. In every year, not later than the meeting at which estimates for next year are settled, the Council shall review the pay and conditions of services of existing employees. Standing Order 38 must be read in conjunction with this requirement.

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

- (a). To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting the Minutes may be taken as read.
- (b). After consideration to approve the signature of the Minutes by the presiding chairman as a correct record.
- (c). To deal with business expressly required by statute to be done.
- (d). To dispose of business, if any, remaining from the last meeting.
- (e). To receive such communications as the person presiding may wish to lay before the Council.
- (f). To answer questions from Councillors.
- (g). To receive and consider reports and minutes of committees.
- (h). To receive and consider resolutions, recommendation and proposition in the order that they have been notified.
- (i). To authorise the sealing of documents.
- (j). If necessary, to authorise the signing of orders for payment.

16. URGENT BUSINESS

A recommendation to vary the order of business on the ground of urgency:

- (a) May be proposed by the chairman or by any member and, if proposed by the chairman, may be put to the vote without being seconded, and
- (b). Shall be put to the vote without discussion.

17. RESOLUTIONS MOVED ON NOTICE

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

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

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

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

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

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

23. RESOLUTIONS MOVED WITHOUT NOTICE

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

- (a). To appoint a chairman of the meeting.
- (b). To correct the Minutes.
- (c). To approve the Minutes.
- (d). To alter the order of business.
- (e). To proceed to the next business.
- (f). To close or adjourn the debate.
- (g). To refer a matter to a committee.
- (h). To appoint a committee or members thereof.
- (i). To adopt a report.
- (j). To authorise the sealing of documents.
- (k). To amend a motion.
- (l). To give leave to withdraw a proposition or an amendment.
- (m). To extend the time limits for speeches.
- (n). To exclude the press and public. (see Order 68 below).
- (o). To silence or eject from the meeting a member named for misconduct. (see Order 33 below).
- (p). To give consent of the Council where such consent is required by these Standing Orders.
- (q). To suspend Standing Orders.
- (r). To adjourn the meeting.

24. QUESTIONS

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

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

26. Every question shall be put and answered without discussion.

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

28. RULES OF DEBATE

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

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

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

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

(d). No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes except by the consent of the Council.

(e). An amendment shall be either

1. To leave out words.
2. To leave out words and insert others.
3. To insert or add words.

(f). An amendment shall not have the effect of negating the resolution before the Council.

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

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

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

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

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

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

(m). When a resolution is under debate no other resolution shall be moved except the following:

1. To amend the resolution.
2. To proceed to the next business.
3. To adjourn the debate.
4. That the question be now put.
5. That a member named be not further heard.
6. That a member named does leave the meeting.
7. That the resolution be referred to a committee.
8. To exclude the public and press.
9. To adjourn the meeting.

30. A member shall remain seated when speaking unless requested to stand by the Chairman.

31. (a). The ruling of the chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

(b). Members shall address the chairman. If two or more members wish to speak, the chairman shall decide who to call upon.

(c). Whenever the Chairman speaks during a debate all other members shall be silent.

32. CLOSURE

At the end of any speech a member may, without comment, resolve "that the question be now put," "that the debate be now adjourned" or "that the Council do now adjourn." If such resolution is seconded, the Chairman shall put the motion but, in the case of a resolution "that the question be now put" only if he is of the opinion that the question before the Council has been sufficiently debated. If the resolution "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after the right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

33. DISORDERLY CONDUCT

(a) All members must observe the Code of Conduct, which was adopted by the Council on 16th April 2002, a copy of which is annexed to these Standing Orders.

(b) No member shall at a meeting by persistently disregarding the ruling of the Chairman, by wilfully obstruct business, or behaving irregularly, offensively, improperly, or in such manner as to bring the Council into disrepute.

(c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board of England.

(d) If either the propositions mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

34. RIGHT OF REPLY

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

35 ALTERATION OF RESOLUTION

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

36. RESCISSION OF PREVIOUS RESOLUTION

(a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least five members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

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

37. VOTING ON APPOINTMENTS

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

38. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Order 68.)

39. RESOLUTIONS ON EXPENDITURE.

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

40. EXPENDITURE

Orders for the payment of money shall be authorised by resolution of the Council or standing committee or sub-committee and signed by two members.

41. SEALING OF DOCUMENTS

- (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by resolution.
- (b) Any two members of the Council named in the resolution moved under the provision of paragraph (a) of this Order may seal, on behalf of the Council any document required by law to be issued under seal.

42. COMMITTEES AND SUB-COMMITTEES

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

- (a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- (b) May appoint persons other than members of the Council to any Committee.
- (c) May subject to the provision of Standing Order 36 at any time dissolve or alter the membership of a committee.
- (d) The Finance and General Purposes Committee will fix dates of committee and Council meetings for the calendar year.
- (e) The Council shall appoint not less than five nor more than nine people to standing committees excluding the Chairman and Vice-Chairman of the Council. At least one member from each ward shall serve on the committee.

43. The Chairman and Vice-Chairman, ex-officio, of the Council shall be voting members of every Committee.

44. Every committee shall at its first meeting, which will take place at the Annual General Meeting of the Council while it is adjourned, before proceeding to any other business elect a Chairman and Vice-Chairman who shall hold office until the next Annual Meeting of the Council.

45. SPECIAL MEETING

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

46. SUB-COMMITTEE

Every committee may appoint sub-committees for purposes to be specified by the committee. A sub-committee shall appoint not less than four people to a sub-committee.

47. The Chairman and Vice-Chairman of the Committee shall be a member of every sub-committee appointed by it unless they signify that they do not wish to serve.

48. Except where ordered by the Council in the case of a committee or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be 4 members.

49. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Orders on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

50. ADVISORY COMMITTEES

- (a) The Council may create an advisory committee, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- (b) The Clerk shall inform the members of each advisory committee of the terms of reference of the Committee.
- (c) An advisory committee may make recommendations and give notice thereof to the Council.
- (d) An advisory committee may consist wholly of persons who are not members of the Council.

51. VOTING IN COMMITTEES

Members of committees and sub-committees entitled to vote shall vote by show of hands, or, if at least two members so request by signed ballot.

52. Chairmen of committees and sub-committees shall, in the event of an equality of votes, have a second or casting vote.

53. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

- (a) A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.
- (b) Any member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings of any committee or sub-committee of which he is not a member.

54. ACCOUNTS AND FINANCIAL STATEMENT

- (a) Except as provided in paragraph (b) of this Standing Order or by statute all accounts for payment and claims upon the Council shall be laid before the Council or standing committee or sub-committee.
- (b). Where it is necessary to make payment in respect of an account which has not been laid before the Council or standing committee or sub-committee, such payment shall be certified as to its correctness and urgency by the appropriate officer Order and signed by two members in the case of an emergency in accordance with Standing 40. Such payment shall be authorised by the proper officer and responsible finance officer for payment with the approval of the Chairman and Vice-Chairman of the Council or the Chairman and Vice-Chairman of the appropriate committee or sub-committee.
- (c) All payments authorised under paragraph (b) of this Standing Order or made without authority of the Council or standing committee or sub-committee under any statute shall be separately included in the next schedule of payments laid before the Council or committee or sub-committee.

55. The Responsible Finance Officer shall supply to each member as soon as practical after 31st March in each year, a statement of the receipts and payments of the Council for the completed financial year. An Income and Expenditure Statement prepared on the appropriate accounting basis for a year to 31st March shall be presented to each member before the end of the following month of May. The Statement of the Accounts of the Council, which is subject to external audit, shall be presented to Council for formal approval.

56. ESTIMATES.

- (a) The Council shall approve written estimates and the precept for the coming financial year at its meeting before the end of January.
- (b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year not later than 31st October. All such estimates will be considered by the Finance and General Purposes Committee who will submit recommendation to Council in January.

57 INTERESTS

If any member has a personal interest as defined by the Code of Conduct adopted by Council on 16th April 2002 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

58 If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

59. If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 16th April 2002 then that interest must be declared and a decision made by the member whether to stay or withdraw.

60. The Clerk shall record in a book of member's interests as required by the Monitoring Officer of the responsible Authority or as required by statute.

61. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified from such appointment, and if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee such disclosure. Where a relationship to a member is disclosed Standing Orders 57, 58 and 59 shall apply as appropriate.

62. The Clerk shall make known the purpose of this Standing Order 61 to every candidate.

63. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- (a) Canvassing of members, or of any committee or sub-committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this paragraph of this Standing Order to every candidate.
- (b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

64. Standing Orders 61 and 63 shall apply to tenders as if the person making the tender were a candidate for an appointment.

65. INSPECTION OF DOCUMENTS

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

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

67. UNAUTHORISED ACTIVITIES

No member of the Council or of any committee or sub-committee shall, in the name of the Council or on behalf of the Council:

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

Unless authorised to do so by the Council or the relevant committee or sub-committee.

68. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

The public and the press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the press or the public or both by means of the following resolution:

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

69. The Council shall state the special reason for exclusion.

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

71. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

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

73 CONFIDENTIAL BUSINESS

- (a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- (b) Any Member in breach of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

74. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

A summons and agenda for each meeting shall be sent, together with an invitation to attend to the County and District Councillor for the Division or Ward.

75. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor/s for the division in which the parish lies or to the District Councillor/s for the ward of the parish as the case may require.

76. PLANNING APPLICATIONS

(a) The Clerk shall keep a record of every planning application notified to the Council:

- The date on which it was received.
- The name of the applicant.
- The place to which it relates.

(b) The Clerk shall refer every planning application received to the appropriate Village planning representative appointed by the Works, Services and Planning Committee within 48 hours.

(c) The Clerk shall arrange a meeting of the Planning Applications Sub-Committee, of the Works, Services and Planning Committee as necessary or requested by a Village Planning Representative.

77. FINANCIAL MATTERS

The Council shall consider and approve Financial Regulations drawn up by the Responsible Finance Officer and Proper Office of the Council.

1) Such Regulations shall include detailed arrangements for the following:

- (a) The accounting records and systems of internal control;
- (b) The assessments and management of risk faced by the Council;
- (c) The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
- (d) The financial reporting requirements of members and local electors and
- (e) Procurement policies, subject to 2 below, including the setting of values for different procedures where the contract has an estimate value less than £50,000.

2) Any proposed contract for the supply of goods, materials, services and the extension of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in (3) below.

3) Any formal tender procedure shall comprise of the following steps:

- (a) A public notice of intention to place a contract to be placed in a local newspaper;
- (b) A specification of the goods, materials, services and the execution of works shall be drawn up;
- (c) Tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
- (d) Tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Council;

(e) Tenders are then to be assessed and reported to the appropriate meeting of the Council or Committee.

4) The Council, or any Committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 61, 63 & 64 regarding improper activity.

5) The finance regulations of the Council shall be subject to regular review, at least once every four years.

6) The Clerk shall make proper arrangements for procuring materials or services or the work to be executed as he thinks fit if the value does not exceed £2,000. Where the value exceeds this amount three quotations or estimates are to be obtained, to be approved by Council or Committees or the Chairman, Vice-Chairman and Clerk of Council or Committees.

7) Committees may authorise the execution of minor works or minor expenditure within the expenditure limits set by the Committee's budget. The Chairman and Vice-Chairman of Council and Committees may authorise expenditure providing there is financial provision within the budget.

78. CODE OF CONDUCT ON COMPLAINTS

The Council shall deal with complaints of maladministration allegedly committed by the Council or of any officer or member in such manner as adopted by the Council on 15th January 1996 except for those complaints, which should be properly directed to the Standards Board (England) for consideration.

79. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

Any Standing Order except those printed in bold type may be suspended by resolution in relation to any specific item of business.

80. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

81. STANDING ORDERS TO BE GIVEN TO MEMBERS

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

82. AUTHORITY TO TAKE URGENT ACTION.

The Clerk as the Proper Officer of the Council and Responsible Finance Officer, be authorised to take any urgent action as necessary, on behalf of the Council, after consulting with the Chairman and Vice-Chairman of the Council, or in the absence of either, one other Member of the Council.

83. DELEGATED ACTION

(a) The Clerk is authorised to take the action list in the appendix on behalf of the Council, which was agreed at the Council meeting on 16th April 2002.

(b) The Chairman of the Council, Vice-Chairman of the Council and Clerk of the Council are authorised to take the action listed in the appendix, which was agreed at the Council Meeting on 16th April 2002. The Chairman of Committees, Vice-Chairman of Committees and Clerk of the Council be authorised to take the action listed in the appendix, which was agreed at the Council Meeting on 16th April 2002.

Revised May 2005. Adopted by the Council on 3rd May 2005.

Chepping Wycombe Parish Council

Financial Regulations

These Financial Regulations were adopted by the Council at its meeting held on 3rd May 2005

1. GENERAL

- 1.1 These Financial Regulations govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
- 1.2 The Responsible Financial Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's affairs. The Council has appointed the Clerk as the RFO.
- 1.3 The RFO shall be responsible for the production of financial information.

2. ANNUAL ESTIMATES

- 2.1 Standing Committees shall formulate and submit proposals to the Finance and General Purposes Committee in respect of revenue and capital costs for the following financial year to the first meeting of that Committee after the summer recess, which is usually late October or early November.
- 2.2 Detailed estimates of all receipts and payments for the current year shall be submitted to each Standing Committee after the summer recess by the RFO. These details to include the previously approved budget provision for the year, the current actual spend and the projected spend as at 31st March.
- 2.3 The Finance and General Purposes Committee shall advise other Committees and Council of the current financial position and make recommendations, if necessary, in respect of income and expenditure for the current and following financial year. Committees will be required to review and revise, if necessary, their estimates during the following Committee cycle (usually November and December). Such revisions will be considered at the Finance and General Purposes Committee in January who will submit to the following Council Meeting in January recommendations, including reserves, for the Precept to be levied for the ensuing financial year.
- 2.4 The annual budgets shall form the basis of financial control for ensuing year. The RFO shall supply each member with a copy of the approved estimates.
- 2.5 The Finance and General Purposes Committee and Council shall prepare and have regard to a three year forecast of Revenue and Capital Receipts and Payments which shall be prepared at the same time as the Annual budget or Estimates.
- 2.6 In accordance with Standing Order 14 the Chairmen of Standing Committees and Council will consider staff salaries and other benefits for the following financial year during the autumn. Regard will be taken of performance of staff, changing responsibilities, sickness and the view of the Clerk as the line manager. Staff will be advised of proposed recommendations to be made affecting their employment, including the salary to be paid. Staff will have the right to meet at least two of these Chairmen to express their views. Such views will be submitted to the Finance and General Purposes Committee together with the

recommendations of the Chairmen. Staff will be given the right of appeal to the Committee. Any financial implications to be incorporated in the recommendations under 2.3 above.

3. BUDGETARY CONTROL

- 3.1 Expenditure on items may be incurred up to the amounts included in the approved budget.
- 3.2 No expenditure may be incurred that will exceed the amount provided in the budget.
- 3.3 The RFO shall regularly provide the Council and Committees with management statements of receipts and payments to date under each head of the budgets, comparing actual expenditure against that planned.
- 3.4 The Clerk may incur expenditure on behalf of the Council and Committees, which is necessary to carry out any repair replacement, or other work which is of such extreme urgency in accordance with Standing Order 82 that it must be done at once, whether or not there is any budgetary provision for the expenditure. The Clerk shall report the action to the Council and Committees as soon as practicable thereafter.
- 3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year.
- 3.6 No expenditure shall be incurred in relation to any project and no contract entered into or tender accepted involving expenditure unless the Council and/or the Finance and General Purposes Committee is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.

4. ACCOUNTING AND AUDIT

- 4.1 All accounting procedures and financial records of the Council shall be determined by the RFO, as required by the Accounts and Audit Regulations 1996 as amended.
- 4.2 The RFO shall be responsible for completing the annual financial statements of the Council as soon as practicable after the end of the financial year and shall submit them and report thereon to the Finance and General Purposes Committee and Council.
- 4.3 The RFO shall be responsible for completing the Accounts of the Council contained in the Annual Return as supplied by the External Auditor appointed from time to time by the Audit Commission and for submitting the Annual Return for approval and authorisation by the Council within the timescales set by the Accounts and Audit regulations 1996 as amended, or set by the External Auditor.
- 4.4 The RFO shall be responsible for ensuring that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with Regulation 5 of the Accounts and Audit Regulations 1996 as amended. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.

- 4.5 The Internal Auditor shall carry out the work required by the RFO, or by the Finance and General Purposes Committee or by the Council, with a view to satisfactory completion of the Internal Auditor's Report section of the Annual Return as compiled annually by the Audit Commission. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Finance and General Purposes Committee or the Council in writing on a regular basis with a minimum of one annual report in respect of each financial year.
- 4.6 The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by Audit Commission Act 1998 section 15 and the Accounts and Audit Regulations 1996 as amended.
- 4.7 The RFO shall, as soon as practicable, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.
- 4.8 The Finance and General Purposes Committee are required to appoint two of their Members to become "CWPC Auditors". They are required to satisfy themselves, at any reasonable time, that the financial affairs of the Council are in order and comply with all relevant regulations and statutes affecting the Parish Council. They will report directly to that Committee.

5. BANKING ARRANGEMENTS AND CHEQUES

- 5.1 The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
- 5.2 A schedule of the payments required, forming part of the Agenda for the Council and or Standing Committee meetings shall be prepared by the RFO and, together with the relevant invoices, be presented to the Meeting. If a schedule is in order it shall be authorised by a resolution of the Council or Committee and shall be recorded in the proceedings of the meeting.
- 5.3 Cheques drawn on the bank account in accordance with the schedule referred to in Paragraph 5.2 or in accordance with paragraph 6.4 shall be signed by 2 members of Council.

6. PAYMENT OF ACCOUNTS

- 6.1 All payments shall be effected by cheque or other order drawn on the Council's bankers.
- 6.2 All invoices for payments shall be examined, verified and certified by the Clerk. The Clerk shall satisfy him/herself that the work, goods or services, to which the invoice relates, shall have been received, carried out, examined and approved.
- 6.3 The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The Clerk shall take all steps to settle all invoices submitted, and which are in order, at the next available Council or Standing Committee Meeting.
- 6.4 If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Dates (Interests) Act 1998, and the due date for payment is before the next

scheduled Meeting of the Council or Standing Committee, where the RFO certifies that there is no dispute or other reason to delay payment, the RFO (notwithstanding paragraph 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next meeting of Council or Standing Committee.

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

- (a) The RFO shall maintain as petty cash float of £250 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
- (b) Income received must not be paid into petty cash float but must be separately banked, as provided elsewhere in these regulations.
- (c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council or Standing Committees under 5.2 above.

7. PAYMENT OF SALARIES

- 7.1 The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be agreed by Council.
- 7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates, provided that each payment is reported to and ratified by the next available Council Meeting or Standing Committee.

8. LOANS AND INVESTMENTS

- 8.1 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 8.2 The Council's Investment Policy, shall be in accordance with the Trustee Act 2000, and shall be reviewed on a regular basis (at least annually).
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowing shall be affected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9. INCOME

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.

- 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall agree annually by the Council, notified to the RFO, and the RFO shall be responsible for the collection of all accounts due to the Council.
- 9.3 The Finance and General Purposes Committee will review all fees and charges annually, and make recommendations to Council.
- 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Finance and General Purposes Committee and shall be written off in the appropriate financial year subject to the approval of the Council.
- 9.5 All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency, as the RFO considers necessary.
- 9.6 The origin of each receipt shall be entered in the paying-in book.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made monthly.
- 9.9 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1 An official order or letter or electronic transmission shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2 Order books shall be controlled by the RFO.
- 10.3 All members and Officers are responsible for obtaining value for money at all times. An Officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11 (i) below.
- 10.4 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved at that the Minutes can record the power being used.

11. CONTRACTS

- 11.1 Procedures as to contracts are laid down as follows:

- (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to (i) to (vi) below:
- (i) for the supply of gas, electricity, water, sewage and telephone services;
 - (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council
 - (v) for additional audit work of the External Auditor up to an estimated value of £250 (in excess of this sum the Clerk shall act after consultation with the Chairman and Vice-Chairman of the Council and or the Chairman and Vice Chairman of the Finance and General Purposes Committee).
 - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- (b) Where it is intended to enter into a contract exceeding £50,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works, or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved lists.
- (c) When applications are made to waive the financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- (d) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- (e) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of the Council.
- (f) If less than three tenders are received for contracts above £50,000 or if all tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the work.
- (g) Any invitation to tender issued under this regulation shall contain a statement to the effect of Standing Order 61, 63 and 64.
- (h) When it is to enter into a contract less than £50,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall obtain three quotations where the value is below £2,000 the Clerk shall strive to obtain three estimates. Otherwise, Regulation 10 (3) above shall apply.

- (i) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract.)
- 12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of the work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the appropriate Standing Committee and Council.
- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the appropriate Standing Committee or Council and the Clerk. The Contractor must be advised in writing. The Council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

- 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery Notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4 The RFO shall be responsible for periodic checks of stocks at least annually.

14. PROPERTIES AND ESTATES

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Regulation 4 (3) (b) of the Accounts and Audit Regulations 1996 as amended.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item tangible moveable property does not exceed £50.

15. INSURANCE

- 15.1 Following an annual risk assessment, the RFO shall affect all insurances and negotiate all claims on the Council's insurers.

- 15.2 The Clerk shall identify all new risks to properties or vehicles, which require to be insured, and of any alterations affecting existing insurances.
- 15.3 The RFO shall keep a record of all insurances affected by the Council and the property and risks covered thereby and annually review it.
- 15.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to the appropriate Committee and Council at the next available meeting.
- 15.5 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance, which shall cover the maximum risk exposure as determined by the Council.

16 CHARITIES

- 16.1 Where the Council is sole trustee of a Charitable body the Clerk shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk shall arrange for any Audit or Independent Examination as may be required by Charity Law or any Governing Document.

17. RISK MANAGEMENT

- 17.1 The Clerk shall prepare and promote risk management policy statements in respect of all activities of the Council.
- 17.2 When considering any new activity the Clerk shall prepare a draft Risk Management policy for the activity and shall bring a draft addressing the legal and financial liabilities and Risk Management issues that arise to Council for consideration and, if thought appropriate, adoption.

18. GRANTS POLICY AND PROCEDURE PROTOCOL

- 18.1 Chepping Wycombe Parish Council awards financial grants at its discretion, within its powers under the provisions of the Local Government Act 1972, to community organisations that can demonstrate a clear need for financial support to benefit the Parish in one or more of the following ways:

promoting Chepping Wycombe in a positive way.

The organisation seeking grant funding must be non-profit making or hold charitable status.

The Grants budget will be set annually as part of the general budget setting process;

Applications will be invited from 1 April to 30 June each year for consideration by the relevant Committee (if applicable), the Finance and General Purposes Committee and then full Council (by recommendation);

The scheme will be publicised through Parish notice boards, both editions of the Parish newsletter and on the Council website (www.cwpc.org.uk);

Organisations will be required to provide a copy of their previous year's accounts or, for new initiatives, a budget forecast or business plan;

Applicants will need to provide details of their aims and purpose; project or activity, proportion/number of beneficiaries living in the electoral area; and demonstrate a clear need for funding. The applicant should also set out the quantum of grant being sought with details of any alternative funding sources, if relevant; and

Applicants that meet the criteria for consideration by the Committee(s) and Council will be notified of the outcome of their submission by the Clerk of the Council.

The Grants Policy and Process Protocol are scheduled for review initially in 2010 and thereafter every four years.

19. REVISION OF FINANCIAL REGULATIONS

- 19.1 It shall be the duty of the Finance and General Purposes Committee to review the Financial Regulations of the Council at least every four years in accordance with Standing Orders and report to Council.

Adopted by Council on 22 July 2008

DECEMBER 2002

TERMS OF REFERENCE OF THE AMENITY LAND COMMITTEE

COUNCIL PROPERTY

1. Responsibility for the Council's amenity areas, commons, village greens, open spaces, ponds, rivers and woodlands, included those rented and leased.
2. The regular maintenance of such property including grass cutting, fencing, boundary walls, gates, buildings, shelters, paths, structures, public utilities, parking facilities, seats, litter bins, dog bins, picnic facilities, landscaping, trees, hedges, shrubs, plants and any other maintenance function. To maintain designated and permissive footpaths and bridleways passing over such land. To consider and recommend improvements.
3. Permitting the use of such facilities for activities that will benefit the community. Letting such land and recommending terms of occupation.
4. Granting easements and way leaves across such land. Reviewing byelaws and property regulations and making recommendations, where appropriate, to the Finance and General Purposes Committee.
5. Ensure public safety and all aspects of maintenance work, including any work undertaken by contractors, is undertaken in accordance with safety requirements as determined by the Finance and General Purposes Committee, which has the overall responsibility for formulating the Council's Health and Safety policy, procedures and working practices.
6. To consider and introduce conservations schemes wherever appropriate.
7. To ensure that Kings Wood is protected as an amenity wood for the benefit of neighbouring residents and to ensure public access. This is to include the replanting and regeneration of a diversity of natural trees and plants, conservation schemes and the protection of all wildlife and flora. To undertake the forestry management of Kings Wood through a suitable qualified Forestry Consultant. To ensure the Forestry Commission and Wycombe District are consulted and where appropriate approve such forestry management. To seek grant aid and support.
8. To consider specific proposals relating to the Committee's responsibilities arising from Village Appraisals.

REPRESENTATIONS RECEIVED AND CONSULTATION

9. To consider representations made and to consult with residents, individuals and appropriate organisations, when necessary, about the Committee's responsibilities and service delivery.

FINANCE

10. To regular review the approved income and expenditure budget of the Committee. To advise the Finance and General Purposes Committee of major variations to the approved budget, not to enter into any financial commitment that exceeds the total of the approved budget without the approval of the Finance and General Purposes Committee or a meeting of the Council.

11. To prepare the Committee's annual estimated budget for submission to the Finance and General Purposes Committee for consideration. To include proposals for forward planning and the use and setting aside of funds to specific earmarked reserves.

12. To regularly consider and review service delivery. To consider Best Value principles as directed by the Finance and General Purposes Committee. To apply any financial directive introduced by the Council.

13. To seek grant aid and support.

GENERAL

14. To apply any policy adopted by the Council to the functions of the Committee such as making as much information freely available to the public as possible and ensuring that any form of discrimination does not take place.

BCD 9/12/2002

DECEMBER 2002

TERMS OF REFERENCE OF THE LEISURE FACILITIES COMMITTEE

1. Responsibility for the Council's leisure facilities areas, allotments, recreation grounds, sports grounds, tennis grounds, football pitches, cricket pitches, basketball courts, tennis courts, bowling greens, youth shelters, pavilions and play equipment, included those rented or leased.
2. The regular maintenance of such property including grass cutting, fencing boundary walls, gates, buildings, shelters, play equipment, paths, structures, public utilities, parking facilities, seats, letter bins, dog bins, picnic areas, landscaping, trees, hedges, shrubs, plants and any other maintenance function. To maintain designated and permissive footpath and bridleways passing over such land. To consider and recommend improvements.
3. Permitting the use of such facilities for activities that will benefit the community. Letting such land and building and recommending terms of occupation.
4. Granting easements and way leaves across such land. Reviewing byelaws and property regulations and making recommendations, where appropriate, to the Finance and General Purposes Committee.
5. Ensuring public safety and all aspects of maintenance work, including any work undertaken by contractors, is undertaken in accordance with safety requirements determined by the Finance and General Purposes Committee, which has the overall responsibility for formulating the Council's Health and Safety policy, procedures and working practices.
6. To consider and introduce conservation schemes wherever appropriate.
7. To consider specific proposals relating to the Committee's responsibilities arising from Village Appraisals.

REPRESENTATIONS RECEIVED AND CONSULTATION

8. To consider representations made and to consult with residents, individuals and appropriate organisations, when necessary, about the Committee's responsibilities and service delivery. In particular to consider such matters raised by Sports Organisations and Clubs who are the Council's tenants as they occupy land/buildings that are the Committee's responsibility. To appoint Members of the Committee to represent the Council on such Sports Organisations and Clubs.

FINANCE

9. To regularly review the approved income and expenditure budget of the Committee. To advise the Finance and General Purposes Committee of major variations to the approved budget, not to enter into any financial commitment that exceeds the total of the approved budget without the approval of the Finance and General Purposes Committee or a meeting of the Council.

10. To prepare the Committee's annual estimated budget for submission to the Finance and General Purposes Committee for consideration. To include proposals for forward planning and the use and setting aside of funds to specific earmarked reserves.

11. To regularly consider and review service delivery. To consider Best Value principles as directed by the Finance and General Purposes Committee. To apply any financial directive introduced by the Council.

12. To seek grant aid and support.

GENERAL

13. To apply any policy adopted by the Council to the functions of the Committee such as making as much information freely available to the public as possible and ensuring that any form of discrimination does not take place.

BCD 9/12/2002

AUGUST 2009

TERMS OF REFERENCE OF THE LEISURE FACILITIES COMMITTEE

RESPONSIBILITIES

1. The Leisure Facilities Committee (LFC) is responsible for oversight of the Council's leisure facilities including allotments and sports and recreation grounds. In particular, it is responsible for:
 - a. Setting and reviewing policies on the maintenance of Council property used for leisure purposes.
 - b. Undertaking regular inspections of LFC property to ensure that it is being well maintained and recommending improvements where appropriate.
 - c. Permitting the use of such facilities for activities that will benefit the community. (Clerk's responsibility ?)
 - d. Letting such land and building and recommending terms of occupation.
 - e. Granting easements and way leaves across such land.
 - f. Reviewing byelaws and property regulations and making recommendations, where appropriate, to the Finance and General Purposes Committee.
 - g. Ensuring public safety and all aspects of maintenance work, including any work undertaken by contractors, is undertaken in accordance with safety requirements determined by the Finance and General Purposes Committee, which has the overall responsibility for formulating the Council's Health and Safety policy, procedures and working practices. (Clerk's responsibility ?)
 - h. Develop a rolling 10-year plan for the improvement of leisure facilities generally and review/update the plan annually.

REPRESENTATIONS RECEIVED AND CONSULTATION

2. The LFC is required to:
 - a. Consider representations made and to consult with residents, individuals and appropriate organisations, when necessary, about the Committee's responsibilities and service delivery. In particular to consider such matters raised by Sports Organisations and Clubs who are the Council's tenants as they occupy land/buildings that are the Committee's responsibility.
 - b. Appoint Members of the Committee to represent the Council on Sports Organisations and Clubs occupying Council land/premises.

2nd Draft

- c. Consider the annual report submitted by RoSPA and to determine what safety measures should be adopted as soon as practicable noting that recommended maintenance will automatically be undertaken by the Council grounds staff at the earliest opportunity.

FINANCE

4. The LFC is required to:

- a. Undertake a regular review of the approved income and expenditure budget of the Committee. The Committee Chairman is to advise the Finance and General Purposes Committee of major variations to the approved budget. The Committee is not to enter into any financial commitment that exceeds the total of the approved budget without the approval of the Finance and General Purposes Committee or a meeting of the Council.
- b. Prepare the Committee's annual estimated budget for submission to the Finance and General Purposes Committee for consideration. These estimates should include proposals for forward planning and the use and setting aside of funds to specific earmarked reserves.
- c. Annually review allotment fees and property rents, and make recommendations to the Finance and General Purposes Committee.
- d. Regularly consider and review service delivery; in particular to consider Best Value principles as directed by the Finance and General Purposes Committee.
- d. To apply any financial directive introduced by the Council.
- f. To seek grant aid and support. (Clerk's responsibility ?)

GENERAL

- 5. To apply any policy adopted by the Council to the functions of the Committee such as making as much information freely available to the public as possible and ensuring that any form of discrimination does not take place.

DECEMBER 2002

TERMS OF REFERENCE OF THE WORKS, SERVICES AND PLANNING COMMITTEE

1. Responsibility for the Council's Depot and yard, Warden's house, Council Office, vehicles, plant, equipment, tools, bus shelters, war memorials and highway litter bins, seats and trees not the responsibility of other authorities.
2. The regular maintenance of such property including grass cutting, fencing boundary walls, gates, buildings, shelters, paths, structures, public utilities, parking facilities, seats, letter bins, dog bins, picnic areas, landscaping, trees, hedges, shrubs, plants and any other maintenance function. To maintain designated and permissive footpath and bridleways passing over such land. To consider and recommend improvements.
3. Granting easements and way leaves across such land. Reviewing byelaws and property regulations and making recommendations, where appropriate, to the Finance and General Purposes Committee.
4. Ensuring public safety and all aspects of maintenance work, including any work undertaken by contractors, is undertaken in accordance with safety requirements determined by the Finance and General Purposes Committee, which has the overall responsibility for formulating the Council's Health and Safety policy, procedures and working practices.
5. To consider and introduce conservation schemes wherever appropriate.
6. To consider specific proposals relating to the Committee's responsibilities arising from Village Appraisals.

REPRESENTATIONS RECEIVED AND CONSULTATION

7. To consider representatives made and to consult with residents, individuals and appropriate organisations, when necessary, about the Committee's responsibilities and service delivery.

COUNCIL CEMETERIES

8. Granting Right of Burial, permitting interments, permitting the interment of cremated remains and permitting the erection of memorials, changing memorials and their repair. Liaising with Funeral Directors, Stonemasons and Grave Diggers and if necessary religious representatives, next of kin and family representatives in respect to any matter related to the above.
9. The preparation and review of cemetery rules and regulations and the display of appropriate notices.
- 10 The preparation and review of detailed requirements and advice for Funeral Directors, Stonemasons and Grave Diggers with particular emphasis placed on the need to ensure that their work, as contractors, complies with safety legislation and requirements of the Council. The preparation and review of information for the next of kin and families in particular to

explain their responsibilities and liabilities so that graves and memorials are safely maintained.

11. To keep records up to date.

12. To regularly review the safety of memorials, graves and general safety within cemeteries. Whenever necessary and under whatever circumstances to take appropriate action to make memorials safe.

13. When Grants of Right have expired to take over responsibility for the maintenance of the graves and memorials providing that application for an extension has not been approved. Where graves and memorials have been abandoned and there has been no response to enquiries and the issue of notices seeking family members, to take over responsibility for graves and memorials.

14. To obtain when necessary faculty approvals.

CLOSED CHURCHYARDS

14. Responsibility for the maintenance, in accordance with legislation, of St. Margaret's and St. Peters Churchyards. The regular maintenance of the churchyards including grass cutting, fencing, boundary walls, gates, paths, tree and shrub maintenance, grave and memorial maintenance.

15. To liaise with Church Authorities in respect to the above and to agree maintenance programmes. To jointly consider safety issues particularly the safety of memorials. To provide maintenance grants where appropriate. To obtain faculty consent when necessary.

PLANNING MATTERS

16. To consider and comment on revisions of the Wycombe District Plan, Bucks County Council Structure Plan and Regional Plans and Policy. To consider and comment on associated consultation documents including those issued by Government Departments. To make representations in respect to existing policies and practices.

17. To consider planning applications referred to the Committee by the Planning Applications Committee and Ward Planning Representatives appointed by Council. When necessary to undertake local consultation and consider local representations.

18. To make representations in respect to planning appeals and inquiries, if necessary, and authorise the attendance of a Council representative at such appeals and inquiries, if necessary.

19. To make representation when necessary in respect to planning enforcement, public nuisance, conservation areas, tree preservation orders and any other planning matter.

LIGHTING

20. To maintain the Council's footway lighting and consider representations made for improvements and additional lights. To prepare proposals for replacing and upgrading footway light as necessary. To seek reimbursement of lights damaged by third parties.

HIGHWAYS

21. To consider comments and make representations on highway proposals/schemes, designated and permissive footpaths and bridleways, signposting and maintenance. To consult where necessary Highway Authorities, Police and Agencies and undertake consultation with local residents, if necessary, and comment accordingly. To consider representations made by residents about highway issues and where appropriate to make representations to Highway Authorities, Police, Agencies and any other organisation.

22. To liase with County Councillors, County Officers, Police and Government Departments in respect to such matters and where necessary liase with the District Council and any other organisation.

23. To consider wider traffic and public transport issues outside the Parish that impact on residents.

FINANCE

24. To regular review the approved income and expenditure budget of the Committee. To advise the Finance and General Purposes Committee of major variations to the approved budget, not to enter into any financial commitment that exceeds the total of the approved budget without the approval of the Finance and General Purposes Committee or a meeting of the Council.

25. To prepare the Committee's annual estimated budget for submission to the Finance and General Purposes Committee for consideration. To include proposals for forward planning and the use and setting aside of funds for specific earmarked reserves.

26. To regularly consider and review service delivery. To consider Best Value principles as directed by the Finance and General Purposes Committee. To apply any financial directive introduced by the Council.

27. To seek grant aid and support.

GENERAL

28. To apply any policy adopted by the Council to the functions of the Committee such as making as much information freely available to the public as possible and ensuring that any form of discrimination does not take place.

29. To comment on proposals for street naming and numbering. All matters relating to statutory service companies.

BCD 9/12/2002

DECEMBER 2002

TERMS OF REFERENCE OF THE FINANCE AND GENERAL PURPOSES COMMITTEE

FINANCE

1. Overall responsibility for the management of the Council's financial affairs in accordance with legislative requirements, regulations and guidelines. These will include:

- The opening and closing of Bank Accounts and the transfer of funds between accounts.
- Providing accounts, end of year balance sheets and supporting documentation.
- Set up accounting practices and systems.
- Preparing the Committee's annual estimates.
- Considering all the Council's Committees annual estimates to obtain an overall position of the Council's finances in order to make appropriate recommendations to Council and Committees.
- Recommending a precept to Council.
- To apply Best Value Principles to the Council's affairs, even though there is no legal requirement to undertake this, and recommend accordingly.
- To consider forward planning and provide earmarked reserves for the replacement of equipment, vehicles, buildings and specific items of expenditure required in the future in order to lessen the precept burden in any one year.
- Undertaking an annual review of all fees, charges and allowances.
- To consider all aspects of the Council's service delivery and recommend accordingly.
- To seek grant aid and appropriate support in respect to the responsibilities of the Council.
- Making investments in the long and short term.
- Ensuring the Council is adequately insured, that this is reviewed annually and recommend accordingly. To instigate insurance claims being made.
- To produce each year a financial report to be made available to residents and the public.
- Providing an impress petty cash system.
- Submitting claims for the recovery of VAT.
- Providing grants and loans to third parties, usually Parish organisations.
- Making donations, usually to organisations operating within the Parish.
- Authorising subscriptions to organisations that are involved in local and national issues, which affect the work of the Council.
- Monitoring all Committees income and expenditure during the financial year and where appropriate recommending action to be taken.
- Making arrangement for the Internal Audit to be undertaken each year. To consider the subsequent reports and taking appropriate action where necessary.
- Submitting the necessary documentation to the External Auditor. To consider the subsequent reports and taking appropriate action where necessary.
- To appoint at least two backbench members of the Council to audit the Councils financial affairs during the year to ensure practices, procedures, best value principles, management and legislative requirements are complied with and there are no discrepancies. These members and the Chairman of the committee consider all the

- above financial matters and make appropriate recommendations where necessary to this Committee.
- Ensuring the cheques, standing orders and direct debits are signed by two members and/or are approved by Standing Committees of the Council.
- Recording expenditure under Section 137 of the Local Government Act and recording this in end of year balance sheets.
- Recommending the borrowing of funds and making the appropriate Loan Sanction Applications.

STANDING ORDERS

2. To prepare, review, monitor and amend the Council's Standing Orders and recommend accordingly.

BYELAWS

3. To prepare, review, monitor and amend the Council's Byelaws and recommend accordingly.

COUNCILLOR MATTERS

4. To set allowances and expenses and recommend accordingly. To deal with: electoral matters, casual vacancies and co-options onto the Council. To deal with; persistent absences of members and member's conduct and recommend accordingly. To make recommendations on appropriate training for members, Chairmen and Vice-Chairman. The appointment of members to appropriate conferences, seminars, workshops and meetings to represent the Council.
5. To ensure that all matters relating to the Code of Conduct contained within the Local Government Act 2000 and subsequent regulations are complied with. This includes the register of member's interest and matters that should be referred to or arising from Wycombe District Council's Standards Committee and the Standards Board of England.

PARISH MATTERS

6. To consider and make recommendations on the Council's committee structure and fix a calendar of meetings. To make arrangements for Parish Meetings, public meetings and referendum as necessary. To arrange Civic functions and exhibitions when necessary.
7. To take an overall general responsibility for the three Village Appraisals, involving the communities in preparing appraisals and supporting them in implementing achievable objectives. Setting up a flexible management structure, which will include the ward members, for reporting and liaison with the Council. Referring specific issues that come within the terms of reference of other Council Committees for them to deal with.
8. To deal with all issues related to boundary reviews, warding arrangements and electoral matters affecting the Parish. The establishment of policy principles and their monitoring in respect to contractual matters, easements, leases, tenancies, specifications for work and recommend accordingly.

9. To consider proposals and legislation relating to changes within Local Government and recommend accordingly.

LEGAL

10. To consider all legal issues affecting the Council and to make appropriate recommendations, to Council, where action is being proposed or taken against the Council.

LEGISLATION

11. To consider all legislative matters, regulations and guidance and where appropriate refer such matters to the appropriate Committee of the Council. To consider new and proposed legislation, including consultation documents and views expressed by individuals or organisations, to respond accordingly. To make representations to amend or abolish existing legislation. If necessary to undertake consultation on such matters.

LIASON

12. To liase with national organisations, local organisations, Government Departments, charities, individuals and any other body responsible for activities or functions affecting residents and the work of the Council.

STAFFING MATTERS AND CONSULTANTS/ADVISERS

13. To be responsible for appointing, termination, discipline, training, and terms and conditions of service for fulltime and part-time staff. To review rates of pay annually and to consider recommendation made by all Council Chairmen. To make provision, at employees request, for employee and employer contributions to the Bucks County Council Superannuation Scheme. To make the appropriate payments and salary reductions in respect to income tax and national insurance contributions. To review staff performance.

14. To be responsible for the appointment and termination of contracts for consultants and or advisors to assist the Council in undertake the work of the Council.

15. To be responsible for considering the workload of staff, consultants and advisors. To set, when necessary, priorities of work and workload controls.

PUBLICITY MATTERS

16. To comply with the Freedom of Information Act 2000 in making as much information as possible freely available to the public as approved by a Council meeting in 2002. To submit and regularly revise the Council Publication Scheme.

17. To deal with all press enquiries and the issue of press statements. To respond to items that appear in newspapers and journals when necessary. Provide general and specific information for residents. Provide an annual report for residents, including a summary of the Council's accounts. Provide and maintain notices boards. Issue the Council's Newsletter. Arrange exhibitions and civic functions when necessary.

AGENDA

9

18. To appoint a Sub-Committee, consisting of at least one Member from each Ward, to deal with the issue of the Newsletter, Civic functions and exhibitions.

HISTORIC RECORDS

19. To maintain and expand the Council's historic records.

LAW AND ORDER

20. To liaise with the Police and other appropriate bodies on specific and general matters affecting residents. Consider ways of increasing public awareness to police issues, dumping, vandalism, drug abuse, highway offences and other law and order matters.

HEALTH AND SAFETY

21. To be responsible for health, safety and welfare under the Health and Safety legislation, regulations and guidance as well as any other legislative safety requirements to ensure the safety of employees, contractors and the public on Council land or in Council buildings, including those rented or leased, or individuals and organisations using Council's facilities: These to include:

- Reviewing and revising the Council's Health and Safety Policy.
- Recommending the provision of financial resources.
- The preparation and review of risk assessments arising from work activities and public safety responsibilities, including contractors and permit holders.
- Undertaking regular safety inspections and as a result taking appropriate action when necessary.
- The preparation of procedures and safe practices and their review.
- The display of up to date safety notices and information as well as providing appropriate advice.
- Keeping records.
- Obtaining advice when necessary. Obtaining appropriate up to date documents, regulations and guidance to be kept in a library available to Members, employees and the public.
- Ensuring contractors, agents, or anyone given permission to be on Council land or in Council buildings, for a specific reason, complies with safety requirements.
- All forms of equipment are regularly maintained and inspect for safety purposes.
- To ensure the safe handling and use of substances.
- To provide information, instruction and supervision for employees.
- To ensure that employees are competent to do their tasks and given them adequate training.

DISCRIMINATION

22. To ensure that the Council policy on Race Equality and equality for others, approved in 2002, is applied to all aspects of the Council's work and functions. To monitor and review this policy.

AGENDA ITEM

9

GENERAL

23. To be responsible for any matter not included within the Terms of Reference of other Committees.

BCD 9/12/2002.

DATED 2005

CHEPPING WYCOMBE PARISH COUNCIL

- to -

The Scout Association Trust Corporation
As Trustees of the

LEASE

relating to the Land of the Scout and Guide Hut
Ashley Drive Tylers Green
Buckinghamshire

KIDD RAPINET
Thame House
Castle Street
High Wycombe
Bucks HP13 6RZ

THIS LEASE is made the day of Two Thousand and five
BETWEEN CHEPPING WYCOMBE PARISH COUNCIL of Council Offices Cock
Lane Tylers Green Penn Buckinghamshire HP10 8DS(hereinafter called "the Landlord")
of the one part and **THE SCOUT ASSOCIATION TRUST CORPORATION** a company
limited by guarantee and registered as a charity under number 306102 whose registered
office is situate at Gilwell Park Chingford London E4 7QW ("the Corporation") as
Trustees for the Penn and Tylers Green Scout Group and the Tylers Green District Guides
("the Groups") of the other part.

The Scout Group is a body formed and recognised by The Scout Association in accordance
with its Rules and is registered as a charity

The Guide District is a body formed and recognised by Girlguiding UK (The Guide
Association) in accordance with its Rules and is registered as a charity.

Rectials:

Whereas this Lease is supplemental to a Declaration of Trust made by the Tenant on the 1st
October 1975 and entitled "The Scout and Guide Joint Trust Deed 1975"

WITNESSETH as follows :-

1. **IN** consideration of the rent hereinafter reserved and of the covenants on the part of
the Corporation the Landlord hereby demises unto the Corporation **ALL THAT** piece or
parcel of land off Ashley Drive Tylers Green near High Wycombe in the County of
Buckingham which is shown edged red on the attached plan hereto (hereinafter called "the
Land") **TOGETHER WITH** a right of access with or without vehicles (in common with
the Landlord and all others so authorised) over and along the accessway shown coloured
brown on the said plan

TO HOLD the same unto the Corporation from the 1st day of May 2005 for a term of **Twenty**
Five YEARS PAYING THEREFOR during the said term the yearly rent of Fifty Five Pounds (
£55) subject to review as hereinafter provided in clause 5 hereof
Such rent to be paid without deduction in advance by one annual instalment on the 1st day
of May in each year

2. **THE Corporation** having been incorporated for the purpose amongst others of
accepting and holding as Trustees for The Scout Association or any branch thereof and for
The Girl Guides Association or any branch thereof or for any Group or Local Association

To New Road.

Ashley Drive



MRS. B. HUNT
JERRY HERSCHER

or Girl Guides or Brownies real and personal property of all kinds and having been duly authorised to act as a Trust Corporation in relation to such trusts HEREBY DECLARE that it holds the said property hereby demised in trust for the purposes of The Penn and Tylers Green Scout Group and the Tylers Green District Guides and related units (hereinafter called "the Groups")

3. **THE** parties acknowledge that the Scout and Guide Hut (hereinafter called "the Scout Hut") constructed presently constructed on the Land belongs to the Corporation
4. **THE** Corporation hereby covenants with the Landlord as follows :-
 - (1)
 - (i) To pay the rent hereby reserved on the days and in the manner aforesaid without any deduction
 - (ii) To pay Value Added Tax or other tax of a similar nature (and when otherwise expressly stated all references to rent or other monies payable by the Trustees are exclusive of any VAT charged or chargeable thereon)
 - (2)
 - (i) To pay and discharge all rates taxes assessments impositions duties charges and outgoings of a periodically recurring nature and non-capital nature whether Parliamentary local or otherwise which are now or may become payable upon the Land either by the owner or occupier thereof
 - (ii) To pay to the Landlord when demanded for the consumption of water to the Land and the Scout and Guide Hut together with 50% of the standing charge such rate to be charged at the equivalent rate at which the Council is charged by Three valleys Water or its successor
 - (3)
 - (i) .Not to make any structural alteration to the Scout and Guide Hut nor erect any other buildings on the Land whether of a permanent or temporary nature without the Landlords consent
 - (ii) To provide a parking area on part of the Land for vehicles associated with the use of the Land and to comply with all parking restrictions which may be imposed by Wycombe District Council as planning authority
 - (4) To use the demised premises for the normal activities of a Scout Group and Guide Group and for no other purpose provided that the Landlord shall not object to fundraising activities solely for the benefit of the Corporation nor with the approval

of the Landlord in writing the Corporation may permit the Land and the Scout and Guide Hut to be used by Welfare and Educational Organisations

- (5) At all times during the term to keep the Land and any buildings erected on it in a neat and tidy state and free of any graffiti
- (6) To permit the Landlord and any person or persons authorised by it upon giving fourteen days' written notice to the Corporation (except in the case of an emergency) at all reasonable times to enter upon and examine the condition of the Land and thereupon the Landlord may serve upon the Corporation notice in writing specifying any repairs necessary to be done by the Corporation under the provisions hereof and require the Corporation forthwith to execute the same and if the Corporation shall not within twenty-eight days after the service of such notice commence and proceed diligently with the execution of such repairs then to permit the Landlord to enter upon the Land and execute such repairs and the cost thereof shall be a debt due to the Landlord and be forthwith recoverable by action
- (7) Not to use the land or the Scout Hut for any activities which are dangerous offensive noxious illegal or immoral (including the lighting of any bonfires) or which are or may become a nuisance or annoyance to the Landlord or to the owner or occupier of any neighbouring property
- (8) Not to hold an auction sale on the Land
- (9) To comply with the terms of every Act of Parliament Order Regulation Byelaw Rule Licence or Registration authorising or regulating how the Land and the Scout and Guide Hut are used and how the Land and the Scout Hut continues to be used by the Corporation for the normal activities of a Scout Group and a Guide Group
- (10) Not to assign or part with or share possession of the Land or any part thereof
- (11) At the expiration or sooner determination of the term to surrender and yield up to the Landlord the Land in accordance with the foregoing stipulations
- (12) To maintain public liability insurance cover to a sum not less than one million pounds or such other amount as the Landlord may recommend from time to time(without any liability on the Landlords part to do so)
- (13) To give the Landlord the name address and telephone number of a key holder
- (14) (i) To maintain a good and sufficient fence (of a type to be specified by the Landlord) along the north boundary to the Land between the points 'C' and

- 'D' on the plan together with a lockable gate(of a type and in a position approved by the Landlord) providing access onto adjoining allotments and to maintain such fence and gate in a good repair and condition at all times during the said term
- (ii) To maintain the fence on the western boundary in a good state of repair and condition
 - (iii) .If required by the Landlord at any time during the term hereby granted to erect a fence (of a type to be specified by the Landlord) between the points 'A' and 'B' on the plan and to maintain the fence
 - (iv) If required by the Landlord at any time during the term hereby granted to erect a fence (of a type to be specified by the Landlord) between the points 'E' and 'F' on the plan and to maintain the fence
- (15) To indemnify the Landlord against all costs claims and demands in respect of any injury or loss to a person or a persons property directly or indirectly resulting from the use of the Land or whilst using the Scout Hut and its facilities
 - (16) Not to interfere or allow anyone using the Land and the Scout and Guide Hut to interfere with the adjoining allotments.
 - (17) At the end of the term howsoever determined if required by the Landlord to remove the Scout and Guide Hut and any other buildings on the Land and to remove the debris and leave the surface of the Land in a neat and tidy condition
 - (18) The Corporation shall on appropriate occasions publicise the support given to it by the Landlord
5. The Landlord hereby covenants with the Corporation that the Corporation paying the rent hereby reserved and performing and observing the covenants and conditions hereinbefore contained and on the part of the Corporation to be performed and observed shall peaceably hold and enjoy the demised premises during the term hereby granted without any lawful interruption or disturbance by the landlord or any person claiming under it
6. For all purposes of this Clause the terms defined in this paragraph 5.1 have the meanings specified
- (1) (i) "The Initial Rent"

- “The Initial Rent” means the sum of Fifty five pounds (£55.00)
- (ii) “The Base Figure”
 “The Base Figure” means the Index for December Two thousand and four namely 189.9
- (iii) “The Increase”
 “The Increase” means the amount (if any) by which the Index for the month preceding the relevant Review Date exceeds the Base Figure
- (iv) “The Index”
 “The Index” means the all Items index figure of the Index of Retail Prices published by the Department of Employment or any successor Ministry or Department
- (v) “A Review period”
 Reference to “a review period” means a period beginning on any Review Date and ending on the date before the next Review Date and qualified uses of the term are to be considered accordingly
- (vi) “The Review Dates”
 The Review Dates shall be the 1st January in the years 2010, 2015, 2020 and 2025
- (2) (i) The Rent
 Until the first Review Date the Rent is to be the Initial Rent and thereafter during each successive review period the Rent is to be a sum equal to the greater of the rent payable under this Lease immediately before the relevant review date or ,the revised rent that is ascertained in accordance with this clause
- (ii) The Revised Rent
 The Rent for any review period is to be the Initial Rent plus the amount that bears the same proportion to the Initial Rent as the Increase bears to the Base Figure
- (3) Changes in the Index
 If the reference base used to compile the Index changes after the date of this Lease the figure taken to be shown in the Index after the change is to be the figure that would have been shown in the Index if the reference base current at the date of this

Lease had been retained

(4) Arbitration of problems

If it becomes impossible to calculate the Annual rental increase for any Review Period by reference to the Index because of any changes in the methods used to compile the Index after the date of this Lease or for any other reason whatever or if any dispute or question whatever arises between the parties as to the amount of the Rent for any review period or the constructions or effect of this schedule then the Rent for that review period or the disputed matter is to be determined by an arbitrator to be appointed either by agreement between the parties or in the absence of agreement by the President for the time being of the Royal Institution of Chartered Surveyors or any person authorised by him to make appointments on his behalf on the application of either the Landlord or the Corporation. This is to be deemed to be a submission to arbitration within the meaning of the Arbitration Act 1996. The arbitrator is to have full power to determine on such dates as he considers appropriate what the increase in the Index would have been had it continued on the basis assumed for the operation of this rent review and in view of the information assumed to be available for it. If that determination is also impossible the arbitrator must determine a reasonable rent for the Land on such dates as he considers appropriate having regard to the purposes and intent of the provisions in this Lease for the review of the Rent.

(5) The Landlord shall before each review date give notice to the Corporation of the amount of the rent for the next review period

(6) Whenever the rent has been ascertained in accordance with this schedule memoranda to that effect shall be signed by or on behalf of the Landlord and the Corporation and annexed to this document and its counterpart and the parties shall bear their own costs in this respect

7. **PROVIDED ALWAYS AND IT IS HEREBY AGREED AND DECLARED** as follows :-

(1) If the rent hereby reserved or any part thereof shall at any time be in arrear or unpaid for twenty-one days after the same shall have become due (whether legally demanded or not) or if the Corporation shall at any time fail or neglect to perform

or observe any of the covenants and conditions herein contained and on their part to be performed and observed then and in such case the Landlord may re-enter upon the Land or any part thereof in the name of the whole and henceforth hold and enjoy the same as if this Lease had not been granted but without prejudice to any right of action or remedy for any antecedent breach of covenant by the Corporation and at that time title to the Scout Hut shall pass to the Landlord

- (2) Any notice required to be given to the Corporation shall be duly served or sent by post in a prepaid letter to the Corporation at the demised premises and any notice to the Landlord shall be duly served if sent in manner aforementioned to the Clerk of the Chepping Wycombe Parish Council at their last known address Any such notice shall be deemed to have been received on the day on which it ought in due course of post to have been delivered
- (3) The Landlord shall not be responsible to the Corporation or to anyone on the Land expressly or by implication with the tenants authority for any accident happening or injury suffered or for damage or loss of any chattel on the Land or the Scout Hut
8. Any statutory right of the Corporation to claim compensation from the Landlord on vacating the demised premises shall be excluded to the extent that the law allows
9. This Lease is a new tenancy for the purposes of the Landlord and Tenant (Covenants) Act 1995
10. The Landlord and the Corporation wish to record that it is the intention (but not so as to create a legally binding obligation to do so) of the Landlord (as a public body) to give an annual grant to the Corporation in recognition of the Corporation's facilities to children.
11. The land demised premises will as a result of this lease be held by the Corporation in trust for a charities known by the name of "Group's" which are not an exempt charities and the restrictions on disposition imposed by Section 36 of the Charities Act 1993 will apply subject to sub-section (9) of that section.
12. Whereas the liability of the "Corporation" under the covenants herein contained and on its part to be observed and performed and the liability under such covenants of its successors in title being trustee(s) for the time being of the "Group's) shall be limited to the amount of the joint assets of the "Group's" but nothing herein contained shall affect any powers or remedies of the Landlord in respect of any

breach non -observance or non-performance of the said covenants except as regards the liability of the "Corporation" and its successors in title being such trustee(s) as aforesaid

IN WITNESS whereof the duly authorised signatories of the Landlord and the Corporation have executed this instrument as their deed in the present of the persons mentioned below

Executed by

CHEPPING WYCOMBE PARISH COUNCIL)

Acting by

MRS. B. HUNT

And by

JEFF HERSCHEL

B Hunt
Jeff Herschel

Two Members of the Parish Council

Authorised to sign on its behalf

Budget Detail - By Committee

Note : Finance and General Purposes Committee Meeting 18 March 2010

	<u>Last Year 2008/09</u>		<u>Current Year 2009/10</u>			<u>Projected Actual</u>	<u>Next Year 2010/11</u>
	<u>Budget</u>	<u>Actual</u>	<u>Agreed Budget</u>	<u>Revised Budget</u>	<u>Actual YTD</u>		
<u>Finance & General Purposes</u>							
<u>401 ADMINISTRATION</u>							
4001 STAFF SALARIES	26,223	27,746	28,537	28,537	26,590	28,537	28,864
4007 HEALTH & SAFETY	276	0	290	290	111	290	290
4008 CONF & COURSES	2,500	973	3,500	3,500	440	3,500	3,500
4009 TRAVEL	584	395	500	500	225	500	500
4010 MISC STAFF COSTS	84	0	90	90	0	90	90
4020 MISC ESTABT COSTS	400	327	300	300	184	300	300
4021 TELEPHONE & FAX	1,200	1,381	1,400	1,400	1,128	1,400	1,442
4022 POSTAGE	690	592	700	700	445	700	721
4023 STATIONERY & PRINT'G	1,273	818	1,000	1,000	910	1,000	1,000
4024 SUBSCRIPTIONS/DON'NS	0	0	0	0	25	0	0
4025 INSURANCE	5,000	2,994	5,000	5,000	2,070	2,070	2,300
4026 PUBLICATIONS	329	170	360	360	366	360	360
4027 PHOTOCOPY CHARGES	690	475	635	635	294	635	635
4030 RECRUITMENT ADVERT'G	530	0	0	0	0	0	0
4034 ENTERTAINMENT	52	0	0	0	0	0	0
4041 EQUIPMENT HIRE	1,232	1,252	1,232	1,232	1,030	1,232	1,232
4042 EQUIPMENT MAINTEN'CE	372	130	850	850	155	850	0
4051 BANK CHARGES	79	78	80	80	233	139	80

APPENDIX M

Chepping Wycombe P C (2009/10)

Budget Detail - By Committee

Note: (-) Net Expenditure means Income is greater than Expenditure

Note : Finance and General Purposes Committee Meeting 18 March 2010

	<u>Last Year 2008/09</u>		<u>Current Year 2009/10</u>			Projected Actual	Next Year Budget
	Budget	Actual	Agreed Budget	Revised Budget			
				Actual YTD			
4056	LEGAL FEES	1,500	5,172	1,500	905	1,500	3,000
4057	AUDIT FEES	1,867	1,750	1,750	370	1,750	1,800
4060	OTHER PROF FEES	1,276	640	1,200	494	1,200	600
4068	COMPUTERS &DATA STORAGE	0	0	0	0	0	2,000
4453	OFFICE EQUIPMENT	0	735	0	0	0	2,000
4993	TFR TO EARMARKED RSV	1,600	0	1,680	0	1,680	1,600
	OverHead Expenditure	47,757	45,627	50,604	35,973	47,733	52,314
1081	PHOTOCOPY INC.	10	0	5	0	5	0
1084	MISC INCOME	100	100	75	75	75	0
1090	INTEREST RECEIVED	7,000	8,158	10,000	332	500	500
	Total Income	7,110	8,258	10,080	407	580	500
	Total Income	0	0	0	0	0	0
401	Net Expenditure	40,647	37,369	40,524	35,566	47,153	51,814
402	<u>CIVIC ACTIVITIES</u>						
4001	STAFF SALARIES	2,202	3,001	2,396	2,727	2,396	2,424
4002	MEMBERS ALLOWANCES	849	1,549	2,891	756	2,891	2,891
4008	CONF & COURSES	2,000	781	2,000	135	2,000	2,000
4009	TRAVEL	100	202	300	28	300	300

Budget Detail - By Committee

Note : Finance and General Purposes Committee Meeting 18 March 2010

		<u>Last Year 2008/09</u>		<u>Current Year 2009/10</u>			<u>Next Year 2010/11</u>	
		<u>Budget</u>	<u>Actual</u>	<u>Agreed Budget</u>	<u>Revised Budget</u>	<u>Actual YTD</u>	<u>Projected Actual</u>	<u>Next Year Budget</u>
4016	PREMISES HIRE	116	0	200	200	93	200	200
4020	MISC ESTAB'T COSTS	500	335	500	500	173	500	500
4024	SUBSCRIPTIONS/DON'NS	2,163	2,391	2,270	2,270	2,167	2,270	2,270
4031	OTHER ADVERTISING	372	0	500	500	0	500	500
4032	PUBLICITY	200	328	200	200	694	694	200
4033	NEWSLETTER	3,183	3,718	4,350	4,350	1,855	4,350	4,350
4041	EQUIPMENT HIRE	84	0	90	90	0	90	90
4450	ARCHIVES	350	130	500	500	0	500	500
4901	GRANTS MADE	2,500	1,275	2,500	2,500	75	2,500	2,500
OverHead Expenditure		14,619	13,710	18,697	18,697	8,703	19,191	18,725
1076	PRECEPT	317,765	317,765	330,158	330,158	330,158	330,158	338,412
Total Income		317,765	317,765	330,158	330,158	330,158	330,158	338,412
402	Net Expenditure	-303,146	-304,055	-311,461	-311,461	-321,455	-310,967	-319,687
<u>403 HOLDING FUNDS</u>								
4048	CONTINGENCY	3,000	3,000	3,000	3,000	0	3,000	2,000
4985	TFR FR GENERAL RESERVE	-3,338	0	0	0	0	0	0
OverHead Expenditure		-338	3,000	3,000	3,000	0	3,000	2,000
403	Net Expenditure	-338	3,000	3,000	3,000	0	3,000	2,000

Chepping Wycombe P C (2009/10)

Budget Detail - By Committee

Note: (-) Net Expenditure means Income is greater than Expenditure

Note : Finance and General Purposes Committee Meeting 18 March 2010

	<u>Last Year 2008/09</u>		<u>Current Year 2009/10</u>			<u>Projected Actual</u>	<u>Next Year Budget</u>
	<u>Budget</u>	<u>Actual</u>	<u>Agreed Budget</u>	<u>Revised Budget</u>	<u>Actual YTD</u>		
Finance & General Purposes - Expenditure	62,038	62,337	72,301	72,301	44,676	69,924	73,039
Income	324,875	326,023	340,238	340,238	330,565	330,738	338,912
Net Expenditure	-262,837	-263,686	-267,937	-267,937	-285,889	-260,814	-265,873
Total Budget Expenditure	62,038	62,337	72,301	72,301	44,676	69,924	73,039
Income	324,875	326,023	340,238	340,238	330,565	330,738	338,912
Net Expenditure	-262,837	-263,686	-267,937	-267,937	-285,889	-260,814	-265,873

BUDGET ANALYSIS 2010/11		
	Budget as set at Council 20 1 09 2009/10	Budget set by Council 19/1/10 2010/11
GENERAL REGULAR REVENUE ITEMS		
GROSS EXPENDITURE		
ROUTINE ITEMS		
AMENITY LAND	35,842	36,624
LEISURE FACILITIES	52,732	50,761
WORKS SERVICE & PLANNING	155,437	158,791
FINANCE & GENERAL PURPOSES	65,301	61,539
TOTAL	309,312	307,715
CAPITAL, EXCEPTIONAL AND LARGE ITEMS		
Amenity Land		
Benches and signs	1,000	1,000
Railway land tree surgery	0	1,000
Kingswood benches	1,000	
Tylers Green Common management	2,000	2,000
Widmer pond area improvements	1,500	
	5,500	4,000
Leisure Facilities		
Ashley Drive rec youth facilities	0	0
Derehams Sports site rejuvenation	5,000	
Derehams Lane pavilion replacement reserve fund	0	0
St Bit recreation ground 4 litter bins	1,000	
Boundary Rd rec plant replacements	2,000	
Benches and signs	2,000	2,000
Play areas bark replacement	1,500	1,500
Ashley Dr aerial runway	0	0
Play equipment reserve fund	3,000	3,000
	14,500	6,500
Works Services & Planning		
Depot door & roof repairs	2,000	5,000
Office furniture	0	0
Altona Rd cemetery extension path & tree work	3,000	3,000
Cock Land cemetery Extension	5,000	5,000
St Peter's Church wall	5,000	
Benches, signs, stiles and kissing gates	2,000	4,000
Street light replacement	10,000	7,000
Partnership working	3,000	4,000
Vehicle plant & equipment reserve	12,145	14,145
	42,145	42,145

	Budget as set at Council 20 1 09 2009/10	proposal recommended to FGP 7/1/10 2010/11
F & GP		
FGP exception items 2005/6		
FGP exception items 2006/7		
FGP exceptional items 2008/09		
Contingency	3,000	2,000
Grants	2,500	2,500
Legal fees	1,500	3,000
fire proof safe		2,000
off site sever to store data		2,000
	7,000	11,500
Totals - gross expenditure	41,342	40,624
Amenity Land	67,232	57,261
Leisure Facilities	197,582	200,936
Works and Services Planning	72,301	73,039
F & GP		
CWPC - gross	378,457	371,860
Totals - income (exc Precept)		
Amenity Land	(2,137)	(6,147)
Leisure Facilities	(15,952)	(16,465)
Works and Services	(10,330)	(10,948)
F & GP	(10,080)	(500)
CWPC - income	(38,499)	(34,060)
CWPC TOTAL net	339,958	337,800
	3.9%inc	2.5% increase
PRECEPT	(330,158)	(338,412)
Difference	9,800	(612)
Increase of Precept by		
Reserve Deficit (%) Net Suggested		0%
Reserve Deficit (%) Gross per Purple Book		0%

CHEPPING WYCOMBE PARISH COUNCIL									
	RESERVES 2008/09			RESERVES 2009/10			RESERVES 2010/11		
EARMARKED RESERVES	ALLOCATION	SPEND	AS AT	ALLOCATION	SPEND	AS AT	ALLOCATION	SPEND	AS AT
	2008/09		31/03/2009	2009/10		31/03/2010	2010/11		31/03/2011
SMALL RIDE ON MOWER	600		2,400	350		2,750	350		3,100
RIDE ON MOWER	1740		11,834	4,083		15,917	6,083	-22000	0
LORRY	500		1,000	2,444		3,444	2,444		5,888
UTILITY VEHICLE	1283		5,797	1,926		7,723	1,926		9,649
TRACTOR	3007		8,568	2,608		11,176	2,608		13,784
VEHICLE RESERVE	322 7130	0	29,599	11,411	0	41,010	13,411	-22000	32,421
SIDE FLAIL	400		2,614	627		3,241	627		3,868
DRAWN FLAIL	305		1,426	107		1,533	107		1,640
PLANT RESERVE	323 705	0	4,040	734	0	4,774	734	0	5,508
COMPUTERS	550		2,092	600		2,692	600		3,292
EQUIPMENT	1050		4,050	1,080		5,130	1,000		6,130
OFFICE EQUIP RESERVE	324 1600	0	6,142	1,680	0	7,822	1,600	0	9,422
AMENITY LAND									
COCK LANE RECYCLING	329 1,000		1,000		-1,000	0			0
RAILWAY LAND TREES	367 0		1,000	0		1,000			1,000
KINGSWOOD IMPROVEMENTS	368 8,650		8,650			8,650			8,650
TG COMMON MANAGEMENT	331 3,000		3,000	2,000		5,000	2,000		7,000
TG COMMEMORATIVE TREES	332 1,900		1,900			1,900			1,900
WIDMER POND IMPROVEMENT	369 3,000	0	4,000	1,500		5,500			5,500
LEISURE FACILITIES									
NEW PAVILION DEREHAMS	363 5,000		9,000	0		9,000	5,000		14,000
DEREHAMS REJUVENATION	362 7,000	-2,700	7,300	5,000		12,300			12,300
BASKETBALL	364 0		1,000		-1,000	0			0
ST BIT CAR PARK	350		0			0			
GREEN DRAGON FENCE	370 3,500	-4,070	4,350			4,350			4,350
PLAY EQUIP RESERVE	325 3,000		12,000	3,000		15,000	3,000	-5000	13,000
WORKS SERVICES AND PLANNING									
WARDEN'S HOUSE	359		0			0			
OFFICE REFURBISHMENT	372		1,270		-1,270	0			0
ALTONA TREES & EXTENSION									
PATH	361 5,000		5,860	3,000		8,860	3,000		11,860
COCK LANE CEMETERY TRACK	366 5,000		7,586	5,000		12,586	5,000		17,586
CHURCHYARD ST MARGARET & ST									
PETER'S WALL	321 1,560		10,000	5,000		15,000		-12000	3,000
BENCHES & SIGNS	354 2,890		2,890			2,890			2,890
STREET LIGHTING	351 14,000		14,000	10,000		24,000	7,000		31,000
FINANCE & GENERAL PURPOSES									
DEED OF GRANT	357		10,200			10,200			10,200
LEGAL FEES	371		0			0			
TOTAL EXCEPTIONAL ITEMS		64,500	-6,770	105,006	34,500	-3,270	31,230	25,000	-17000
TOTAL EARMARKED RESERVES		73,935	-6,770	144,787	48,325	-3,270	189,842	40,745	-39000
GENERAL RESERVE		1,635	0	92,263	-9,800		82,463	-16,642	65,821
TOTAL RESERVES		75,570	-6,770	237,050	38,525	-3,270	272,305	24,103	-39000
Target for General Reserve (25% net expenditure) suggested						84,990			86,700
Target for General Reserve (25% expenditure) per Purple Book						94,614			95,215
Deficit/Surplus						-2,627			-20,879
Deficit/Surplus						-12,151			-29,394
% Deficit/Surplus						-3%			-24%
% Deficit/Surplus						-14%			-34%