

Standing Orders & Financial Regulations

Powers and duties

Code of Conduct

Woodley Town
Council

June 2016

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Page 3 gives an explanation of terms, bold type items and calculations for allocations of places.

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In these Standing Orders:

The expression 'Mayor' means the Chairman of Council but any duty or power assigned to the Mayor in relation to the conduct of a Council meeting may be exercised by the Member presiding at the meeting

Standing orders in bold type are statutory requirements and cannot be substantively amended unless the relevant legislation changes.

In using the term 'chairman' the Council recognises that this role is and will be undertaken by both male and female councillors.

The terms 'party' or 'parties' mean groups of 2 or more councillors who have informed the Proper Officer that they have formed a group. A group can be made up of councillors who are members of the same political party registered with the Electoral Commission, or councillors who do not belong to a political party registered with the Electoral Commission, or a combination of both of these.

The allocation of places to each standing committee, sub committee and working party between parties will be calculated on the percentage of each party's share of the total number of council places that are filled. Normal mathematical rounding will be used, a fraction under 0.5 will be rounded down to 0, if 0.5 or greater it will be rounded up to 1.

1. Full Council meetings

- a **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.**
- b **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.**
- 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 A councillor shall raise his or her hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Mayor/Chairman may at any time permit a councillor to be seated when speaking.
- e Only one person is permitted to speak at a time. If more than one councillor wishes to speak the Mayor/Chairman shall direct the order of speaking.
- f **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent.**
- g **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.**
- h **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Town Mayor may in his absence be done by, to or before the Deputy Town Mayor.**
- i **The Town Mayor, if present, shall preside at a meeting. If the Town Mayor is absent from a meeting, the Deputy Town Mayor, if present, shall preside. If both the Town Mayor and the Deputy Town Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**

- j **Subject to the meeting being quorate (SO1 (n)), all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**

- k **The Town Mayor/Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise a casting vote whether or not he gave an original vote. (See also standing orders 2 (h) and (i) below.)**

- l **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 to the vote on the question.

- m **The minutes of a meeting shall record the names of councillors present.**

- n **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**

- o **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.**

- p **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present.**

- q **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.

- r If the business of a meeting of the Council is not completed by 10pm the Mayor/Chairman shall at that hour, or as soon as practicable thereafter, invite the Council to determine whether or not the meeting continue. In any case the meeting shall finish at 10.30pm at the latest. If a Council meeting is adjourned before the business is completed the outstanding business shall be transacted at a following meeting.

- s At every Council meeting other than the Annual Meeting the first business shall be:
 - i **To appoint a Chairman if the Town Mayor and Deputy Town Mayor are absent**

 - ii **To receive such declarations of acceptance of office as required by law to be made, or if not then received, to decide when they shall be received**

 - iii To confirm the accuracy of the minutes of the last meeting and approve their being signed by the presiding Chairman

- iv To receive the minutes of committees and determine any recommendations from the committees
 - v To deal with business expressly required by statute to be done**
 - vi To receive such communications as the Town Mayor may wish to lay before the Council
 - vii To receive such communications as the Leader of the Council may wish to lay before Council
 - viii To dispose of business, if any, remaining from the last meeting
 - ix To receive and consider reports and minutes of committees and working parties.
 - x To receive and consider reports from officers of the Council
 - xi To authorise the sealing of documents
 - xii To consider motions in the order in which they have been notified and notice of which is given in the summons
 - xiii To receive reports from representatives on outside bodies, as appropriate
 - xiv Any other business specified in the summons
- t A motion to vary the order of business on the grounds of urgency may be proposed by the Town Mayor/Chairman or by any member and, if proposed by the Town Mayor/Chairman, may be put to the vote without being seconded, and shall be put to the vote without discussion.

2. Annual meetings of Council

- 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.** [Newly elected councillors take office on the fourth day after the date of their election]
- 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 8pm.**
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e The election of the Town Mayor and Deputy Town Mayor of the Council shall be the first business completed at the annual meeting of the Council.**

- f The Town Mayor, unless he or she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until a successor is elected at the next annual meeting of the Council.**

- g The Deputy Town Mayor of the Council, if any, unless he or she resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the Council.**

- h In an election year, if the current Town Mayor has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes.**

- i In an election year, if the current Town Mayor has been re-elected as a member of the Council, he or she shall preside at the meeting until a new Mayor has been elected and may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes.**

- j At each Annual Meeting, the first business shall be**
 - i To elect a Town Mayor for the municipal year**
 - ii To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received**
 - iii In an election year, to receive a report on the membership of Council and declarations of acceptance of office**
 - iv To decide when any declarations of acceptance of office which have not been received as provided by law shall be received**
 - v To elect a Deputy Town Mayor for the municipal year
 - vi To elect a Leader of the Council for the municipal year
 - vii To decide what standing committees shall be formed and the number of places on each committee
 - viii To appoint members to the standing committees so that the membership of each committee shall be divided between the parties or combination of parties in the same proportion as are members of the Council
 - ix To elect the Chairmen and Vice Chairmen of standing committees. This will take place at the Annual meeting by the members appointed to the relevant standing committee
 - x To appoint members to sub committees and working parties for purposes to be specified by the relevant standing committee. This may take place at the Annual meeting by the members appointed to the relevant standing committee
 - xi To appoint representatives to other organisations/bodies

3. Town Forum

- a A Town Forum for members of the public to put questions to the Council, through the Mayor, shall be held before each meeting of the Council at the time advertised for the meeting; provided that a quorum of Town Councillors is present.
- b The Town Forum shall be limited to 30 minutes; provided there are no or insufficient questions to fill the allotted time, the Council shall commence business forthwith.

4. Standing committees, sub committees and working parties

- a The Council shall, at the Annual Meeting, appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:
 - i. shall not appoint any member of a standing committee so as to hold office later than the next Annual Meeting, and may
 - ii. at any time, dissolve or alter the membership of a standing committee
 - iii. shall constitute standing committees so that the membership of each committee shall be divided between the parties or combination of parties in the same proportion as are members of the Council.
 - iv. shall determine the powers and duties of the standing committees
- b The Council shall determine the scheduled meeting dates of the standing committees.
- c The Mayor and Leader of the Council shall be ex-officio members of every standing committee, without voting rights, unless appointed in their own right as a member of the committee.
- d It will be normal practice for members of a standing committee to elect the Chairman and Vice-Chairman of that committee at the Annual Meeting. If, at the first meeting of a committee or sub-committee, the Chairman and Vice Chairman have not been appointed, the committee or sub-committee shall, before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
- e Every standing committee may appoint sub committees or working parties for the municipal year for purposes to be specified by the standing committee and whose terms of reference shall be determined by resolution of the committee.
- f Every standing committee shall constitute sub committees and working parties so that the councillor membership of the sub committee or working party is divided between the parties or combination of parties in the same proportion as are members of Council. (This does not apply to the Urgency Committee SO 8a)

- g A standing committee may at any time dissolve or alter the membership of a sub committee or working party that it appointed.
- h A standing committee may appoint working parties comprised of a number of councillors and non-councillors. Non councillors will have no right to vote at working party meetings.
- i The quorum of a standing committee or sub-committee shall be three or one-third of its members, whichever is the greater, except where ordered by the Council in the case of a standing committee, or by the Council, or by the appropriate standing committee in the case of a sub-committee.
- j The Standing Orders on rules of debate [except those parts relating to standing and to speaking more than once] and the Standing Order on interests of members in contracts and other matters shall apply to standing committee and sub-committee meetings in so far as they are appropriate.
- k A councillor who has proposed a motion that has been referred to any standing committee of which he/she is not a member, may explain this motion to the committee but shall not vote.

5. Standing committee meetings

- a **Notice of a meeting of a standing committee will be issued in accordance with standing order 1(a)** to all members of Council.
- b **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.**
- c **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the committee's** prior (written) **consent.**
- d **In accordance with standing order 5(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.**
- e **Subject to the meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**

- f **A Chairman of a committee may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his or her casting vote whether or not an original vote was given.**
- g **The minutes of a meeting shall record the names of councillors present.**
- h **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
- i **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.**
- j **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.
- k All questions in standing committees shall be determined by a show of hands by a majority of the Members present and at the request of a councillor the Town Clerk shall record in the report of such committee whether each councillor present either voted for or against the question or abstained from voting.
- l If the business of a meeting of a standing committee is not completed by 10pm the Chairman shall at that hour, or as soon as practicable thereafter, invite the Committee to determine whether or not the meeting continue. In any case the meeting shall finish at 10.30pm at the latest. If a Committee meeting is adjourned before the business is completed the outstanding business shall be transacted at a following meeting.

6. Sub committee meetings

- a **Notice of a meeting of a sub committee will be issued in accordance with standing order 1** and provided to all members of the sub committee and the parent standing committee.
- b **Subject to the meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- c **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 a casting vote whether or not an original vote was given.**

- d **The minutes of a meeting shall record the names of councillors present.**
- e **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
- f **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.**
- g **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.
- h All questions in sub-committees shall be determined by a show of hands by a majority of the Members present and at the request of a councillor the Town Clerk shall record in the report of such sub committee whether each councillor present either voted for or against the question or abstained from voting.
- i If the business of a meeting of the sub committee is not completed by 10pm the Chairman shall at that hour, or as soon as practicable thereafter, invite the sub committee to determine whether or not the meeting continue. In any case the meeting shall finish at 10.30pm at the latest. If a sub committee meeting is adjourned before the business is completed the outstanding business shall be transacted at a following meeting.

7. Working parties

- a Notices of working party meetings will be provided to all members of Council , usually by email, with printed copies available for the members of the working party at the meeting.
- b The minutes of a meeting shall record the names of councillors and other members of the working party who are present.
- c **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
- d **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.**

- e All questions at a meeting shall be decided by a show of hands by a majority of the Councillors present and voting thereon.
- f 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.
- g The Chairman of a working party may convene a meeting of the working party at any time.
- h One third of all councillors shall constitute a quorum, but at no time can a quorum be less than three.
- i 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.

8. Delegated powers

- a The Council delegates full powers to act in all cases of urgency to an Urgency Committee, comprising the Chairmen of the three standing committees with delegated budgetary responsibility (Leisure Services, Community Services and Strategy and Resources Committees), the Mayor and Leader of the Council and the Leader of the largest opposition party.
- b The Town Clerk shall, in every case where a decision is taken under the foregoing powers, provide the minutes of such a committee to the next meeting of the Council/committee for information.
- c In extreme urgency and where it is impractical or impossible to obtain proper authority from the Council the Town Clerk is authorised to take such action as necessary to protect the Council, the general public, staff or property.

9. Recording attendance at meetings

- a Every councillor attending a meeting of the Council, a standing committee, sub committee or working party shall sign the attendance book or sheet provided for the purpose but any omission may be rectified by the Town Clerk prior to the signing of the minutes at the next meeting of that body.

10. Attendance at standing committee, sub committee and working party meetings

- a A councillor shall be entitled to attend any meeting of a standing committee, sub committee or working party and may speak but not vote unless appointed in their own right as a member of that standing committee, sub committee or working party; the Chairman of the meeting and the Proper Officer must be advised in advance of a councillor's intention to attend.
A protocol agreed by the Council on 11/2/14 is attached to these standing orders.

11. Proper Officer

- a The Proper Officer is responsible for a number of duties and responsibilities conferred by statute, regulation or order. 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 conferred on the Proper Officer by statute, regulation or order.

12. Motions requiring written notice

- a No motion (other than those in standing order 13) 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 12 consecutive days before the next meeting.
- b Notices of motion must be received in the Town Council offices by 12 midnight on the twelfth day before the day of the meeting.
- c Notices of motion may be submitted by email to the Proper Officer and must include the name of the councillor proposing the motion.
- d The Proper Officer will confirm receipt of the notice of motion with the councillor or councillors submitting the motion.
- e The Proper Officer may, before including a motion in the agenda received in accordance with standing order 12(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- f If the Proper Officer considers the wording of a motion received in accordance with standing

order 12(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 7 clear days before the meeting.

- g 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.
- h Having consulted the Town Mayor/Chairman or councillors pursuant to standing order 12(g) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- i 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.
- j 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 and the mover of the motion advised.
- k 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.
- l If a motion falls within the terms of reference of a committee, sub committee, or within the delegated powers conferred on an employee, a referral of the same may be made to such committee, 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.

13. 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 accuracy of the minutes of the previous meeting.
 - iii. To correct an inaccuracy in the minutes of the previous meeting.
 - iv. To dispose of business, if any, remaining from the last meeting.
 - v. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vi. To proceed to the next business on the agenda.

- vii. To close or adjourn debate.
- viii. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- ix. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
- x. To receive nominations to a committee or sub-committee.
- xi. To dissolve a committee or sub-committee.
- xii. To note the minutes of a meeting of a committee or sub-committee.
- xiii. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- xiv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xv. To authorise legal deeds to be sealed by the Council's common seal and witnessed. *(See standing orders 23(a) and (b) below.)*
- xvi. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xvii. To seek leave to withdraw a motion or amendment.
- xviii. To extend the time limit for speeches.
- xix. To exclude the press and public for all or part of a meeting.
- xx. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxi. To give the consent of the Council if such consent is required by standing orders.
- xxii. To suspend any standing order except those which are mandatory by law.**
- xxiii. To adjourn the meeting.
- xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxv. To answer questions from councillors.

14. Rules of debate

- a No speech during the debate on a motion or amendment shall exceed 5 minutes except with the permission of the Council.

14. A. Rules of debate - motions

- 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 Mayor's/Chairman's direction for reasons of expedience.

- b Subject to a motion being correctly submitted, a motion shall not be considered unless it has been proposed and seconded.
- c A councillor when seconding a motion may declare their intention to reserve the right to speak in support of the motion later in the debate.
- d A motion included in an agenda and not moved at the meeting by the councillor who tabled it, may be treated as withdrawn.
- e The mover of a motion shall have a right of reply, not exceeding 5 minutes.
- f Subject to standing orders 14 B(j) and (k) below, 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.
- g 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 or she considers has been breached or specify the irregularity in the meeting he or she is concerned by.
- h A point of order shall be decided by the Chairman and his/her decision shall be final.
- i With the consent of the seconder or of the meeting, a motion may be withdrawn by the proposer. A councillor shall not speak upon the said motion unless permission for the withdrawal of the motion has been refused.
- j Subject to standing order 14 B(l) below when a councillor's motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him/her 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.
- k In respect of a motion to put the motion under discussion to the vote, 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 the 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.

14. B. Rules of debate - amendments

- a A motion to amend an original or substantive motion shall not be considered unless it has been proposed and seconded 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.
- b A councillor when seconding an amendment may declare their intention to reserve the right to speak in support of the amendment later in the debate.
- c A councillor may move amendments to his or her own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- d 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.
- e A proposed or carried amendment to a motion shall not have the effect of negating the original or substantive motion under consideration.
- f 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.
- g Subject to standing order 14(e) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- h Pursuant to standing order 14(e) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- i If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- j 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.

- k The mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- l 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.
- m With the consent of the seconder or of the meeting, an amendment may be withdrawn by the proposer. A councillor shall not speak upon the said amendment unless permission for the withdrawal of the amendment has been refused.

15. Code of conduct

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b **The Town Clerk shall compile and provide a register of councillors' interests to the Monitoring Officer at Wokingham Borough Council, as required by statute.**
- c **The Town Clerk shall ensure that the register of councillors' interests is published on the Town Council's website, as required by statute.**
- d Councillors who have a pecuniary interest (disclosable or otherwise) in a matter to be considered at a meeting of the Council or its committees or sub committees and wish to request a dispensation shall follow the Dispensations Procedure.
A copy of the Dispensations Procedure is attached to the Code of Conduct - provided with these standing orders.
- e Councillors who have a pecuniary interest (disclosable or otherwise) in an item to be considered must withdraw from the meeting during the discussion of and voting on the item. Subject to the Code of Conduct councillors with a pecuniary interest (disclosable or otherwise) may only make a statement of fact about their interest and answer any questions of fact from the Chairman of the meeting relating to the matter which may assist with consideration of the matter prior to the commencement of debate and discussion on the matter, provided that the public are also allowed to attend the meeting for the same purpose. In such instances the councillor(s) with a pecuniary interest (disclosable or otherwise) must leave the room prior to the start of such debate and discussion and during voting on the matter in question.

16. Questions from members of Council

- a A councillor may ask the Mayor any question concerning the business of the Council at a meeting of the Council.
- b A councillor, with or without notice, may ask the Chairman of a committee any question upon the proceedings of the committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.
- c Every question shall be put and answered without discussion, but the Chairman to whom a question has been put may decline to answer.
- d A councillor may request that the question and answer be recorded in the minutes.

17. Minutes

- a 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 13(a)(iii) above.
- b 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.
- c The minutes of the Council shall be open to inspection by any local government elector of the town, without charge.

18. 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 18(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 18(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or may adjourn the meeting.

19. Recission 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 5 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 19(a) above has been disposed of, no similar motion may be moved within a further 6 months.

20. 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.

21. Cooption to the Council

- a The Council will follow its Cooption Procedure when seeking to coopt a town councillor.
A copy of the Council's Cooption procedure is attached to these standing orders.

22. Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b 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.**

23. Execution and sealing of legal deeds

See also standing order 13(a)(xv) above

- a The Common Seal of the Council shall be kept in a safe place at the office of the Town Clerk

- b A document shall not be sealed on behalf of the council unless its sealing has been authorised by a resolution of Council..
- c **In accordance with a resolution made under standing order 23(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.**

24. Extraordinary meetings

See also standing order 1 above

- a **The Town Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Town Mayor does not or refuses to call an extraordinary meeting of the Council within 7 consecutive 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 standing committee or a sub-committee may convene an extraordinary meeting of the committee or sub-committee at any time.

25. Special meetings

- a A special meeting of a standing committee or sub committee shall also be summoned on the requisition in writing of not less than a third of the members of the standing committee or sub committee to the Proper Officer. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

26. Accounts and Financial Statements

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations.
- b The Responsible Financial Officer shall supply to each councillor the income and expenditure figures against budget estimates for each committee at every scheduled meeting of that committee.

- c The Financial Statements prepared on an income and expenditure basis for a year to 31 March shall be presented to each councillor before the end of the following month of May, or as soon as practicable.
- d The Statements of Accounts of the Council and Annual Return (which are subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

27. Budget estimates/precept

- a **The Council shall approve written estimates for the coming financial year** at its meeting in February and to meet the requirements of the billing authority.

28. Canvassing of and recommendations by councillors

- a Canvassing councillors, 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 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 in respect of 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.

29. Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential or in draft before publication, 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.
- b Access to personal information held by the Council shall be limited to that information which is necessary for a decision to be made on a specific matter and limited to councillors responsible for making such decisions. No such information shall be disclosed by a councillor to any other person.

30. 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 to an employee of the Council.

31. Confidential business

- a Councillors 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 31(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

32. Relations with the press/media

- a The Leader and Deputy Leader and Chairmen of the standing committees may make oral or written statements or provide written articles to the press or other media on behalf of the Council.
- b Unless standing order 32(a) above applies councillors shall not provide oral or written statements or articles to the press or other media on behalf of the Council.

33. Matters affecting Council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the meeting has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b All permanent Council employees shall be employed under the conditions set by the National Joint Council for Local Government Services and on the advice of the National Association of Local Councils. Where appropriate, the Council may determine its own terms and conditions for specific posts having regard to relevant employment legislation and on approval by the Council's Strategy and Resources Committee.
- c Councillors will form a panel for the recruitment of the Town Clerk and the management posts that report directly to the Town Clerk. (As at February 2014 Service Support Manager,

Leisure Services Manager, Head Groundsman, Oakwood Centre Manager, Committee Officer.)

- d Any papers of a confidential nature which refer to a member of staff or person being considered for appointment to any paid or unpaid post shall on completion of the discussion/interview be returned to the Town Clerk for destroying.

34. Liaison with Wokingham Borough Council

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to Wokingham Borough councillors representing the borough wards within the parish.

35. Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are printed in **bold type** and are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of at least 5 councillors, or by recommendation from a committee.

36. 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/her 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/her being excluded from the meeting in accordance with standing orders.

37. Public participation at meetings

- a Subject to the item of business not being of a confidential nature, 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.
- b The period of time which is designated for public participation in accordance with standing order 37(a) above shall not exceed 15 minutes.

- c Subject to standing order 37(b) 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 3 minutes.

38. Role of the Town Mayor

- a The Mayor shall, in addition to the role of "First Citizen" of Woodley, be responsible for the conduct of meetings of the Council and interpretation of Standing Orders at the Council meetings.
- b Where the Mayor has concern as to the conduct of an Elected Member, if unable to resolve it with that Member, he/she shall bring this to the attention of the Leader of the appropriate party. If the Leader of the appropriate party is unable, or unwilling, to resolve the issue, the Mayor will bring it to the attention of the full Council, or the Urgency Committee, as appropriate.

39. Role of the Leader of the Council

- a The Leader of the Council shall be the first line of reference for the Town Clerk for all matters of agreed Council policy and direction. In the absence of the Leader, then the Deputy Leader of the Council becomes the first line of reference.

40. Leaders and Deputy Leaders of parties

- a The names of persons appointed as Leader and Deputy Leader by parties shall be notified to the Town Clerk who shall then report accordingly to the Council.

Protocol for attendance at committee, sub committee or working party meetings by councillors who are not members of the committee, sub committee or working party concerned

1. Standing orders

Standing Order 10 states that

"A councillor shall be entitled to attend any meeting of a standing committee, sub committee or working party and may speak but not vote; the Chairman of the meeting and the Proper Officer must be advised in advance of a councillor's intention to attend"

The Council delegates most decisions to committees. The Powers and Duties of the four standing committees are attached to the Council's Standing Orders, of which all councillors have a copy. Only members of a committee may vote on matters delegated to a committee. Only members of a sub committee and a working party may vote on matters within the remit of that sub committee or working party.

This document sets out how Standing Order 10 will operate in practice.

2. Agendas

All Members of Council will receive all agendas for committee meetings.

Sub committee agendas will be sent to members of that sub committee and members of the parent committee.

Working party agendas will be sent to all members of Council, usually by email, with printed copies provided at the meeting for members of the working party.

3. Notice of intention to attend a committee/sub committee/working party meeting

Members of Council who have not been appointed to a committee/sub committee/working party but wish to attend a meeting of that committee/sub committee/working party must inform the Chairman and the Proper Officer in advance. For practical reasons (seating numbers) it is preferable that this be done before the date of the meeting but it will normally be sufficient for the Chairman and the Proper Officer to be informed on the day of the meeting and before the meeting is called to order.

4. Record of attendance

The attendance of councillors at meetings to which they are not members will be recorded in the minutes in the form 'Also present: Cllrs....'

5. Seating

Councillors who attend meetings at which they are not members may be invited by the Chairman to sit with the committee members. In deciding whether or not to invite non members to sit at the committee table chairmen should take into account:

- The numbers of non members attending – the higher the number the more difficult it will be for the Chairman to identify voting members when necessary.
- Whether members of the public are present and the potential for confusion over which members belong to the committee/sub committee/working party.

The Chairman may:

- request that non members of the committee/sub committee/working party sit away from the meeting table.
- allocate seating at the meeting table to non members to avoid confusion on voting or if the public are present.
- introduce committee members to any members of the public present and clearly indicate which councillors are voting members at the meeting.

6. Speaking at meetings

Councillors who attend meetings at which they are not members may, with the express permission of the Chairman:

- Speak at the meeting
- Explain a motion that has been referred to the committee/sub committee
- Ask questions of the committee/sub committee/working party members, officers and members of the public present

7. Interests

The Council's Code of Conduct rules on personal and prejudicial interests will apply to **all** councillors attending committee, sub committee or working party meetings, whether or not they are members of the committee/sub committee/working party.

Any councillor with a personal or prejudicial interest in the business being considered must make this known to the meeting.

8. Confidential matters

Councillors who are not members of a committee/sub committee/working party may remain at the meeting when confidential matters are discussed. All councillors are bound by the requirement not to disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature (standing order 31).

This protocol will be monitored and reviewed as necessary.

Protocol approved by Council on 11 February 2014

Protocol updated in line with new standing orders February 2014

Cooption Procedure

A cooption can occur when a casual vacancy arises on the Council and no poll (for a by-election) has been called.

The following procedure for cooption to the Town Council will be undertaken:

On receipt of confirmation from Electoral Services at Wokingham Borough Council that the casual vacancy can be filled by means of cooption, the Town Clerk will:

1. advertise the vacancy for 4 weeks on the Council notice boards and website, and send a press release to the local press
2. advise the Council that the cooption procedure has been instigated, by sending an email to all Councillors

Applicants for cooption will be asked to:

1. submit information about themselves, by way of completing an application form stating their experience and reasons for seeking to become coopted on to the Town Council.
2. confirm their eligibility for the position of councillor within the statutory rules by completing a form for this purpose.

Copies of the applications received will be circulated to all councillors by the Town Clerk with the agenda of the Full Council meeting at which the cooption is to be considered.

The applicants will be invited to attend the meeting and to address the Council and give their reasons for applying to be coopted as a town councillor.

The person coopted must receive a majority of the votes of those councilors present and voting on the proposed cooption. If there is more than one candidate successive ballots must take place to eliminate the least successful candidate until a candidate has an absolute majority of those present and voting. If there is an equality of votes the Mayor must use his casting vote.

The coopted councilor will hold office until the next ordinary town council elections.

Code of Conduct for Councillors - Dispensations Procedure

Background

Under the Localism Act 2011 councillors with a Disclosable Pecuniary Interest (DPI) relating to an agenda item may request a dispensation to allow them to take part in the discussion and/or vote on the business. The Council's code of conduct states:

On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B:

- *if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business;*
- *or without the dispensation the representation of different political groups on the Council would be so upset as to alter the likely outcome of any vote relating to the business*
- *or it is in the interests of the inhabitants in the Council's area to allow the member to take part*
- *or it is otherwise appropriate to grant a dispensation.*

The Localism Act states that dispensations may be granted by Full Council and that it may make arrangements for this function to be carried out by a committee, sub committee, or officer.

At a meeting of Council on 11 December 2012 (minute no. 67) the Council agreed that the Council's Proper Officer be delegated to consider and decide upon Members' dispensation requests, in accordance with Section 33 of the Localism Act, and that a procedure for this be set out in line with proposals made at that meeting.

Dispensations Procedure

Dispensation requests using the Dispensation Request form (attached) must be submitted to the Proper Officer (Town Clerk).

A councillor applying for a dispensation must set out the meeting(s) or period and the item of business for which the dispensation is requested. The reason for the dispensation should also be stated and should meet the criteria set out in Section 33 of the Localism Act – the criteria for granting dispensations (see bullet points above).

The completed form requesting a dispensation should be submitted to the Town Clerk by, at the latest, 11am on the morning of the day before the meeting for which the dispensation is required. This will allow councillors time to view an agenda, establish whether they have a Disclosable Pecuniary Interest and if they wish to apply for a dispensation. It should also give sufficient time to seek any advice required from the Monitoring Officer at Wokingham BC to provide a decision on the request to the councillor concerned before the meeting. *However, it should be noted that the earlier the request is received the more likely it is to be considered in time for the relevant meeting.*

Under these arrangements Full Council also retains the power to consider and grant dispensations at its meetings.

Woodley Town Council

Dispensation Request form

Name of councillor	
Meeting and item of business for which the dispensation is being sought	
Reason for dispensation	
Length of dispensation required (no longer than 4 years)	

Signed

Date

On completion, please send this form to Deborah Mander, Town Clerk

The Oakwood Centre townclerk@woodley.gov.uk
Headley Road
Woodley
RG5 4JZ

Please note that if this dispensation request is not granted the Town Clerk will inform you of this and the reason(s) for the decision.

The Dispensation sought on the above grounds is granted by the Town Clerk, in line with the Council's Code of Conduct and Dispensations Procedure.

Signed

Date

WOODLEY TOWN COUNCIL

Financial Regulations

1) GENERAL

- a) These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council.
- b) The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of financial control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. These Financial Regulations are designed to demonstrate how the Council meets these responsibilities.
- c) The Council's accounting control systems must include measures:
 - for the timely production of accounts
 - that provide for the safe and efficient safeguarding of public money
 - to prevent and detect inaccuracy and fraud and
 - identifying the duties of officers
- d) At least once a year, before approving the Annual Governance Statement the Council must review the effectiveness of its system of internal control which shall be in line with proper practices.
- e) The Responsible Financial Officer (RFO) is a statutory office and shall be appointed by the Council. The Town Clerk has been appointed as RFO for this Council and these regulations will apply accordingly.
- f) The RFO:
 - acts under the policy direction of the Strategy and Resources Committee
 - administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices.
 - determines on behalf of the Council its accounting records and accounting control systems
 - ensures the accounting control systems are observed
 - ensures that the accounting records of the Council are maintained and kept up to date in accordance with proper practices
 - assists the Council to secure economy, efficiency and effectiveness in the use of its resources and
 - produces financial management information as required by the Council.
- g) The accounting records determined by the RFO shall be sufficient to show and explain the Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the Council from time to time comply with the Accounts and Audit (England) Regulations 2011/817.

- h) The accounting records determined by the RFO shall in particular include:
- entries from day to day of all sums of money received and expended by the Council and that matters to which the income and expenditure or receipts and payments relate
 - a record of the assets and liabilities of the Council and
 - wherever relevant, a record of the Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- i) The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are submitted to the council for approval having been approved by the RFO and that the approvals are shown in the accounting records; and
 - measures to ensure that risk is properly managed.
- j) The Council is not empowered by these regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- setting the final budget or precept
 - approving accounting statements
 - approving an annual governance statement
 - borrowing
 - writing off bad debts
 - the annual return process in respect of the internal and external auditors' opinions
 - reviewing and approving bank mandates for all Council bank accounts
- k) In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of the Audit Commission Act 1998 or any superseding legislation, and then in force, unless otherwise specified.
- l) In these financial regulations the term 'proper practices' shall refer to guidance issued in Governance and Accountability for Local Councils – A Practitioners Guide (England) issued by the Joint Practitioners Advisory Group (JPAG) available from the websites of the National Association of Local Councils and the Society of Local Council Clerks.
- m) The Town Clerk shall be responsible for the accountability and control of staff and the security, custody and control of all other resources, including plant, buildings, materials, cash and stores appertaining to their consent, and shall also be responsible for the observance of the Council's Financial Regulations.

2) ANNUAL ESTIMATES (BUDGET)

- a) Detailed estimates of all income and expenditure including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the Council.

- b) Each committee shall formulate and submit to the Strategy and Resources Committee a programme of expenditure and income for the following financial year not later than the end of January/beginning of February each year.
- c) The Strategy and Resources Committee shall consider the uses of reserves and all sources of funding and the aggregate effect of these programmes and estimates upon the Council's financial resources and shall submit them to the Council for approval with a recommendation of the precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each Member with a copy of the approved budget.
- d) The annual budgets shall form the basis of financial control for the ensuing year.
- e) The Council shall consider the need for and shall have regard to a three year forecast of revenue and capital receipts and payments and operational impact which may be prepared at the same time as the annual budget.
- f) Contingencies
 - i) Provision for salary and wages pay awards – there shall be included in the revenue budget such provision for salary and wages as may be considered necessary.
 - ii) Reserves – the Strategy and Resources Committee may approve expenditure from reserves on unforeseen items without reference to the Council.
 - iii) Delegation to the Town Clerk – there shall be delegated to the Town Clerk a special fund for carrying out emergency repairs subject to:
 - (1) being satisfied that the expenditure is necessary;
 - (2) there not being adequate provision within the specified detailed expenditure head concerned.
 - iv) Provision for inflation – there shall also be included in the revenue estimates a provision for inflation based on the best information available at the time.

3) BUDGETARY CONTROL AND AUTHORITY TO SPEND

- a) Revenue savings may not be used to meet additional capital spending, nor any capital savings be used to meet additional revenue spending without the approval of Council.
- b) Expenditure may not be incurred which cannot be met from the amount provided within the net revenue budget of a committee or when there is likely to result in overspending in the year unless a request for a supplementary estimate has been submitted to the Strategy and Resources Committee. This regulation shall apply where such event would result in an increase in net cost of a committee's budget within the financial year. However, it is recognised that some costs are outside the control of the budget holder including, but not limited to, utility and repairs costs. It is the Council's practice to adjust these items of expenditure in the setting of revised estimates for the current year as part of the next year's budget setting process. Excessive increases in expenditure
- c) The Strategy and Resources Committee shall be delegated to regulate and control the estimates of the spending committees during the financial year and to approve the spending committees' revised estimates for that year.
- d) Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the Strategy and Resources Committee.

- e) The Town Clerk may incur expenditure on behalf of the Council, which is necessary to carry out repair, replacement or other work that is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure. This is subject to a limit of £25,000, following consultation with the Leader of the Council and the Town Mayor. The Town Clerk shall report the action to the Council as soon as practicable thereafter.
- f) Where expenditure is incurred in accordance with 3e) above and the sum required cannot be met from savings made elsewhere within the committee's approved budget it shall be subject to the provisions of a supplementary estimate approved by the Strategy and Resources Committee or the Council.
- g) At each meeting of a budget holding committee the RFO shall provide the committee with a summary of receipts and payments to date under each head of the budgets, comparing actual expenditure to the previous year's expenditure at the same point in the year and showing the percentage of the total budget spent or income received. Commentary on income and expenditure shall be provided and Members' attention drawn to any anticipated or actual increases in expenditure of 50% or more over the budget estimate for an item.
- h) The Town Clerk shall maintain a Repairs and Renewals Fund and shall issue guidelines and advice as necessary.
- i) No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council has approved the necessary funds required, or the requisite borrowing approval has been obtained.
- j) All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

4) ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- a) All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- b) The RFO shall complete the annual financial statements, annual report and any related documents of the Council contained in the Annual Return (as specified in proper practices) before the end of the following month of May, or as soon as practicable after the end of the financial year, for adoption by the Council within the timescales set by the Accounts and Audit Regulations.
- c) The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations accordance with proper practices. 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 audit and shall supply the RFO, internal auditor, or external auditor with such information and explanation as the Council considers necessary for that purpose.
- d) The internal auditor shall be appointed by and shall carry out the work required by the Council in accordance with proper practices.

- e) The Internal Auditor shall:
- be competent and independent of the operations of the Council
 - shall report to the Strategy and Resources Committee and Council in writing, or in person, with a minimum of one annual written report in respect of each financial year
 - demonstrate objectivity and independence, be free from any conflicts of interest and have no involvement in the financial decision making, including those arising from family relationships
 - have no involvement in the financial decision making, management or control of the Council.
- f) Internal or external auditors may not under any circumstances:
- Perform any operational duties for the Council
 - Initiate or approve accounting transactions, or
 - Direct the activities of any Council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- g) For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- h) The RFO shall make arrangements for exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and the display or publish any notices and statements of account required by Audit Commission Act 1998 and the Accounts and Audit Regulations, or any superseding legislation.

5) BANKING ARRANGEMENTS

- a) The Council's banking arrangements, including the Bank Mandate, shall be made by the Town Clerk and approved by the Council. They shall be regularly reviewed for efficiency.
- b) The Council will operate such bank or other accounts as it considers necessary and appropriate for the efficient conduct of its business.
- c) A current account shall be used for the payment of its bills by cheque, direct debit, BACS and other orders drawn on this account and will require the signature of two Members of Council authorised as bank signatories by the Council.
- d) A deposit account shall be used into which payments to the Council will be deposited. Transfers to fund the current account shall be made from the deposit account and shall be carried out automatically by the bank. Signatories to this account are determined by Council.
- e) A third account shall be operated on an imprest basis and the maximum level of funds to be transferred from the current account to this imprest account in any one transfer shall be set by the Strategy and Resources Committee. Transfers require the signature of two authorised members of Council. The imprest account shall be used primarily for the payment of salaries and related payments, payments required prior to invoice, refunding deposits or booking/course cancellations, purchase of items by a direct debit card and urgent payments. The signatories for payments from the imprest account are the Town Clerk, the Service Support Manager, the Leisure Services Manager and the Committee Officer. Two signatories are required to approve payments from this account.

- f) Bank reconciliations for all operating bank accounts shall be prepared by the Finance Officer as soon as practicable after the end of each month.

6) PAYMENT OF ACCOUNTS

- a) All payments shall be effected by cheque, direct debit, BACS or other order drawn on the Council's bankers.
- b) All invoices for payment shall be examined, verified and certified by authorised officers. The officer shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved. The officer shall also satisfy him/herself that the account has not been previously passed for payment and is a proper liability of the Council and allocate expenditure to the appropriate budget expenditure heading.
- c) The Finance Officer shall examine invoices in relation to arithmetical accuracy. The Finance Officer shall take all steps to settle all invoices submitted within 30 days.
- d) At least twice monthly the Finance Officer shall provide schedules of supplier cheque or BACS payments required, together with the relevant invoices and other supporting information. The RFO (or Service Support Manager in the RFO's absence) will review and sign the schedule(s).
- e) In the case of a schedule for cheque payments authorisation will be indicated by the signature of two authorised bank signatories on the face of the schedule(s) and by initialling invoices to indicate that the schedule has been agreed to the supporting documentation.
- f) Cheques drawn on the account in accordance with 6 d) shall be signed by two of the bank signatories authorised by Council.
- g) In the case of a schedule for BACS payments authorisation will be indicated by the signature of two bank signatories authorised by Council on each of the payments from the account listed on the BACS schedules in accordance with 6d) and by initialling invoices to indicate that the schedule has been agreed to the supporting documentation.
- h) Payments from the imprest account, with the accompanying information about those payments, will be presented to two signatories authorised by Council who will check the supporting documentation on payments made and anticipated expenditure before authorising a transfer of funds to the imprest account from the current account.
- i) The Finance Officer may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the Finance Officer with a claim for reimbursement.
 - i) The Finance Officer shall maintain a petty cash float of up to £150 for the purpose of defraying operational and other expenses. Vouchers for the payments made from petty cash shall be kept to substantiate the payment.
 - ii) Income received must not be paid into the petty cash float but must be banked separately.
 - iii) Payments to maintain the petty cash shall be made from the Town Clerk's Imprest account and signed by two authorised officers.

- j) If thought appropriate by the Council, payment for utility supplies (rates, energy, telephone and water) may be made by variable Direct Debit provided that the instructions are signed by two Members.
- k) Any changes in the recorded details of suppliers, such as bank account records, shall be approved by the RFO.
- l) All payments in each month from the Council's current and imprest accounts shall be provided to the Strategy and Resources Committee for ratification.

7) DEBIT CARD PAYMENTS

- a) Debit card payments from the imprest account are only made when it is not possible to pay by cheque or BACS, or where a saving to the Council can be made.
- b) The debit card is never to be used for anything other than proper business use.
- c) Only one debit card is to be issued to Woodley Town Council, with the Town Clerk as the authorised signatory, and this is to be kept in a locked drawer at all times when it is not in use.
- d) Debit card payments for goods made by officers other than the Town Clerk must be approved by the Town Clerk. Approval will be shown by the Town Clerk counter signing the purchase order for the expenditure.
- e) The limit for expenditure by debit card is set at £1,000 per month.
- f) Any expenditure by debit card is to be supported by a purchase order and invoice/receipt and authorised in the same way as other payments from the imprest account.
- g) The payments made by debit card from the imprest account are to be checked by the Finance Officer, included in the imprest payments list and in the list provided to the Strategy and Resources Committee for ratification.

8) PAYMENT OF SALARIES

- a) As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with the agreed rates of pay and other allowances as held on the payroll records and in accordance with the rules of PAYE and National Insurance currently operating and any necessary deductions will be made as required.
- b) Payment of salaries and payment of deductions from salary such as may be made for tax, National Insurance, pension contributions and union dues, may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.
- c) All time records or other pay documents shall be certified as to accuracy by the individual's manager and retained by the Finance Officer.

- d) All claims for payment of car allowance, subsistence allowances, travelling and incidental expenses shall be submitted, duly certified, in a form approved by the Town Clerk, except the Town Clerk's claims which shall be approved by the Leader of the Council.
- e) Payments to Members, including co-opted Members of the Council or its committees, who are entitled to claim travelling or other allowances, will be made by the Town Clerk upon receipt of the prescribed form duly completed. All claims for the financial year are to be submitted not less frequently than quarterly.
- f) The certification by an officer shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred and that the allowances are properly payable by the Council.

9) LOANS AND INVESTMENTS

- a) All investments of money under the control of the Council shall be in the name of the Council.
- b) All borrowings shall be effected 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. An application for borrowing approval and subsequent arrangements for the loan shall only be approved by full Council.
- c) Matters relating to Council investments and treasury management are set out in the Council's Treasury Management Strategy and reviewed annually by full Council.
- d) All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

10) TRANSFER OF FUNDS

- a) The Town Clerk shall be authorised to make short-term investments of the maximum sum in one transaction, as set out in the Council's Treasury Management Strategy, at any one time in financial institutions approved by the Council. All other transfers shall be authorised by Members as approved by the Council.

11) INCOME

- a) The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- b) The Council will agree all fees and charges annually, following a report of the Town Clerk.
- c) Any sums found to be irrecoverable and any bad debts shall be reported to the Strategy and Resources Committee. Strategy and Resources Committee may recommend that the Council to write-off any amount due to be paid to the Council.
- d) 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.

- e) Personal cheques shall not be cashed out of money held on behalf of the Council.
- f) The RFO shall ensure that VAT Returns are promptly submitted and that that any repayment claims are made and received.
- g) VAT payable on charges for services will be applied on advice from the Council's accountants and must be authorised by the RFO.
- h) Where any significant sums of cash are regularly received by the Council, more than one person will be present when the cash is counted in the first instance, and the RFO will ensure that appropriate care is taken in the security and safety of individuals banking such cash.

12) ORDERS FOR WORK, GOODS AND SERVICES

- a) A purchase order shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate eg for services provided under a contract agreement. Copies of orders shall be retained.
- b) Order books shall be controlled by the RFO.
- c) All Members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction. If the order is for under £3,000 the officer shall satisfy him/herself that the Council is receiving the best value for money. Suppliers and services will be reviewed on a regular basis for cost efficiency.
- d) Any purchase order over £400 must be approved by the Town Clerk.
- e) The Town Clerk is responsible for ensuring purchases made by the Council are lawful.
- f) For the purposes of SI 2014 The Openness of Local Government Bodies Regulations 2014, requiring the publication of decisions taken by officers where the effect of the decision is to incur expenditure that materially affects the Council's financial position, the level of expenditure that is regarded as materially affecting the Council's financial position and will prompt publication shall be £60,000.

13) CONTRACTS

- 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 items (i) to (v) below:
 - i) for the supply of gas, electricity, water, sewerage and telephone services;
 - ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or 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 goods or materials proposed to be purchased which are specialist or proprietary articles and/or are only sold at a fixed price.
- b) When the Council is to enter into a contract below £60,000 and above £3,000 in value, except those excepted in paragraph 13 a), the Town Clerk or appointed officer shall endeavour to obtain three quotations (priced descriptions of the proposed supply) from suppliers, including any appropriate local suppliers, as far as is practicable. Where it is not practicable to obtain three quotations or accept the lowest, the Town Clerk shall report this stating the reasons, to the next meeting of the spending committee. Where the value is below £3,000 and above £1,000 the Town Clerk or appropriate officer shall strive to obtain 3 estimates. Otherwise Regulation 12 c) shall apply.
- c) Where it is intended to enter into a contract exceeding £60,000 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 13 a) the Town Clerk shall invite tenders from at least three firms to be taken from any appropriate approved list and to include any appropriate local suppliers.
- d) Such invitation to tender shall state the general nature of the intended contract and the Town 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 Town Clerk. Each tendering firm shall be directed to mark the envelope in an appropriate way so that it remains sealed until a 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 Town Clerk in the presence of at least one Member of Council.
- f) Any tender submitted in competition received after the specified time shall be returned promptly to the tenderer by the Town Clerk. The tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed. A later tender may be considered when the Town Clerk is satisfied that there is evidence of posting in time for delivery by the due date in the normal course of post and the other tenders have not been opened.
- g) Where examination of tenders reveals errors or discrepancies which would affect the tender figures in an otherwise successful tender, the tenderer is to be given details of such errors and discrepancies and afforded an opportunity of withdrawing or confirming the offer.
- h) If the tenderer withdraws, the next tender in competitive order is to be examined and dealt with in the same way. Any exception to this procedure may be authorised only by, and on behalf of, the committee concerned, after consideration of a report by the Town Clerk.
- i) If less than three tenders are received for contracts above £60,000 or if all the tenders are identical the Strategy and Resources Committee or Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- j) The Council shall not be obliged to accept the lowest or any tender, quote or estimate. However, a tender other than the lowest tender, if payment is to be made by the Council, or the highest tender, if payment is to be received by the Council, shall

not be accepted until the Strategy and Resources Committee has considered a written report from the Town Clerk.

- k) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Strategy and Resources Committee or Council.
- l) The Town Clerk is authorised to accept tenders, providing tenders are within the budget provision.
- m) All contracts shall be in writing and shall specify:
 - i) the work, materials, matters or things to be furnished, had or done, including any appropriate technical specification(s);
 - ii) the price to be paid with a statement of discounts or other deductions;
 - iii) the time, or times, within which the contract is to be performed.

No work shall commence until the Town Clerk is satisfied that any necessary contract documents have been completed in a form approved by him/her.

- n) It shall be a condition of the engagement of the services of any architect, engineer, surveyor or other consultant [not being an officer of the Council] who is responsible to the Council for the supervision of a contract on its behalf, that in relation to that contract he/she shall:
 - i) comply with these Standing Orders as though he/she were an officer, subject to the modification that the procedure to be followed in inviting and opening tenders shall be approved in advance by the Town Clerk;
 - ii) at any time during the carrying out of the contract, produce to the Town Clerk, or his/her representative, on request, all the records maintained by him/her in relation to the contract;
 - iii) on completion of a contract, transmit such records to the Town Clerk, or other appropriate officer, as required.
- o) Any major variation after the signing of the contract shall be in writing, signed by the Town Clerk, after consultation with the Chairman of the Strategy and Resources Committee and the appropriate committee Chairman.
- p) All tenders for the execution of works or the supply of goods or materials shall, except to the extent that the Council in a particular case or specified categories or contract otherwise decides, be based on a definite specification.
- q) Should it occur that the Council, or duly delegated committee or officer, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- r) When appropriate, the British Standard Specification of British Standard Code of Practice issued by the British Standards Institute is current at the date of tender, every contract shall require that all goods and materials used or supplied, and all workmanship, shall be at least of the standard required by the appropriate British Standard Specification or Code of Practice.

- s) The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2006 and the Utilities Contracts Regulations 2006 and any subsequent revisions, including thresholds, shall be followed.
- t) Payments under contracts for building or other construction works
 - i. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding, usually in the form of a retention of 5% of the contract value retained for 6 months after completion/certificate of completion is issued, as may be agreed in the contract).
 - ii. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments and report to Council where it is estimated that the cost of the works will exceed the contract sum.
 - iii. Any variation to a contract or addition to or omission from a contract must be approved by the Council and the Clerk to the contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

14) STORES AND EQUIPMENT

- a) The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- b) 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.
- c) Stocks shall be kept at minimum levels consistent with operational requirements.
- d) The Finance Officer will be responsible for arranging periodic checks of stocks and stores by persons other than those responsible (at least annually) and will report on these to the appropriate committee.

15) ASSETS PROPERTIES AND ESTATES

- a) The Town Clerk shall make 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 interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- b) No tangible moveable 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 of tangible movable property does not exceed £500.
- c) No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law. In each case a report in writing shall be provided to the Strategy and Resources Committee in respect of valuation and surveyed condition of the property (including matters such as planning permission and covenants) together with a proper business

case (including an adequate level of consultation with the electorate) and any recommendations made to full Council.

- d) No real property (interests in land) shall be purchased or acquired without the authority of the Council. In each case, a report in writing shall be provided to the Strategy and Resources Committee in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate) and any recommendations made to full Council.
- e) The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually. Any losses shall be reported to the Strategy and Resources Committee.
- f) The Council's property shall not be removed otherwise than in accordance with the ordinary course of the Council's business or used otherwise than for the Council's purposes except in accordance with specific instructions issued by the Town Clerk.

16) INSURANCE

- a) The RFO shall effect all insurances and negotiate all claims on the Council's insurers in line with its Risk Management Strategy.
- b) The RFO shall ensure that all new risks, properties, vehicles which require insurance or any alterations affecting existing insurances are promptly added included in the Council's insurance policies.
- c) The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it,
- d) 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 Strategy and Resources Committee/Council at the next available meeting.
- e) 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.

17) RISK MANAGEMENT

- a) The Council is responsible for putting in place arrangements for the management of risk. The Town Clerk shall prepare for approval by the Council a Risk Management Strategy and risk register in respect of all activities of the Council. These shall be reviewed by the Council annually.

18) CHARITIES

- a) Where the Council is sole trustee of a charitable body, the Town 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 RFO shall

arrange for any Audit or Independent Examination as may be required by Charity Law or any Governing Document.

19) REVISION OF FINANCIAL REGULATIONS

- a) It shall be the duty of the Council to review the Financial Regulations of the Council at least every three years. The Town Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these financial regulations.

Reviewed by Council 28 April 2015

Powers and Duties of the Strategy and Resources Committee

1. To regulate and control the finances of the Council with powers to revise, in each financial year, the estimates of the spending committees.
2. To collate the income and expenditure estimates and charges for each spending committee and to recommend to the Council the proposed expenditure and precept for the ensuing year.
3. To be authorised to approve additional expenditure, at the request of a spending committee, for items not included in that committee's estimates, providing that savings cannot be found within the requesting committee's estimates and that funds are available.
4. To inform and advise the Council on the annual capital programme projects.
5. To manage the committee's budget and be authorised to transfer funds between each budget heading within a location to meet unexpected expenditure within the powers delegated to the committee.
6. To authorise expenditure on capital schemes approved by the Council.
7. To recommend to Council the borrowing of funds and the raising of loans.
8. To approve leasing finance and investment of funds held by the Council and direct the appointment of Bankers, Building Societies and other financial establishments where funds are to be placed.
9. To manage the Council's long term investment portfolio.
10. To appoint the Council's investment adviser
11. To appoint the Council's internal auditor.
12. To receive and consider internal audit reports.
13. To give guidance and instructions to spending committees and officers for the formulation of forward programmes and financial guidelines.
14. To be authorised to approve the acceptance of a tender, other than the lowest, if payment is to be made by the Council, or the highest tender, if payment is to be received by the Council.
15. To be authorised to approve payments for purchases and services rendered to the Council and for the transfer of funds between the appropriate deposit accounts, including monitoring and replenishment of the Clerk's Imprest Account.
16. To oversee the management and development of The Oakwood Centre.

17. To oversee the Council's role as a partner in the Woodley Town Centre Management Initiative.
18. To manage the use of the Council's freehold and leasehold property and to make recommendations on all land use issues.
19. To deal with all leases and licences.
20. To ensure that the Council's existing services are effectively undertaken and that any new service[s] or facilities required are promptly identified.
21. To supervise communications between the Council and the public.
22. To provide for the replacement, renewal or repair of vehicles, plant, furniture and major items of equipment.
23. To be authorised to ensure that the Council is fully covered by insurance to carry out all the functions of a local authority.
24. To oversee the administration of the Council's offices and depots.
25. To deal with all staff matters, including determining numbers, job descriptions, pay scales and working hours, pension matters, recruitment, training and development of employees.
26. To make appointments to the the following management posts: (as at May 2016: Deputy Town Clerk, Committee Officer, Leisure Services Manager, Head Groundsman,)
27. To be authorised to act on behalf of the Council on the final internal appeal stage within the grievance and disciplinary procedures for all employees.
28. To deal with all matters affecting the Local Government boundaries of the town of Woodley.
29. To liaise and foster good relations with local authority associations.
30. To give consideration to and make recommendations on matters of major policy and use of resources, including consideration of those recommendations of other committees which are to be submitted to the Council when either major matters of policy and use of resources are concerned, or where the recommendation[s] of one committee on a particular matter differ[s] from the recommendation of another committee on the same matter.
31. To be authorised to appoint sub-committees and/or working parties to deal with matters delegated to the committee and to delegate such powers as vested in the committee.
32. To consider, where appropriate, the environmental impact on decisions being made by the committee.
33. To award grants in line with Section 137 of the Local Government Act 1972.

Reviewed 10 May 2016

WOODLEY TOWN COUNCIL

Powers and Duties of the Leisure Services Committee

1. To provide, manage and promote informal and formal sports and recreational facilities within the parks and open spaces for individuals, groups and clubs.
2. To provide, manage and promote the use of Coronation Hall and Chapel Hall by the general public.
3. To provide, manage and promote the use of Woodford Park Leisure Centre by the general public.
4. To manage, maintain and provide footpath lighting, street seats, bus shelters, notice boards, public toilet in accordance with the approved estimates and to advise the Council on future requirements.
5. To organise and work with other groups on events which promote the identity and community activity within Woodley.
6. To manage, maintain and promote the Council's allotments, and to liaise with the Allotment Tenants' Association on the management of the site and to engender a good working relationship.
7. To work with other organisations, agencies and charities to provide services and facilities for young people in Woodley.
8. To recommend the fees and charges for the use of the facilities within the Committee's remit.
9. To approve terms and conditions for the use of any of the facilities within the Committee's remit.
10. To have authority to agree one-off applications for free use of facilities, and to approve exclusive use of agreed areas or facilities by other local authorities or voluntary organisations.
11. To identify areas for the development of leisure and recreational facilities and activities and make any recommendations to the Council.
12. To provide and manage children's play equipment in the parks and open spaces managed or leased by the Council.
13. To provide and promote sports and leisure courses and activities, both in-house and through agencies, to residents and the general public.
14. To provide, manage and maintain the Council's parks, recreation grounds and open spaces, encompassing all fixed and loose fixtures and fittings.
15. To promote arts and culture in Woodley through the work of the Committee and act as an enabler to develop and provide art and cultural activities.
16. To co-operate and liaise with Wokingham Borough Council on recreational and associated matters.

17. To co-operate and liaise with other local authorities and organisations on the promotion and development of recreational facilities, which are to the benefit of Woodley residents.
18. To develop new leisure and recreational facilities in the Council's ownership or jointly with other statutory or voluntary bodies.
19. To liaise and co-operate with other bodies who are developing leisure or recreational facilities of benefit to the people of Woodley.
20. To seek grant or other funding towards the costs of new developments or activities within the Committee's remit and make any recommendations to the Strategy and Resources Committee or Council, where appropriate.
21. To recommend to the Strategy and Resources Committee the committee's requirements for revenue estimates, in accordance with the policies and format required by the Strategy Resources Committee.
22. To be authorised to appoint sub-committees and/or working parties to deal with matters delegated to the committee, and to delegate such powers as vested in the committee.
23. To manage the committee's budgets and be authorised to transfer funds between each head within a location to meet unexpected expenditure within the powers delegated to the committee.
24. To consider, where appropriate, the environmental impact on decisions being made by the committee.

Reviewed 10 May 2016

Powers and Duties of the Planning Committee

1. To represent the interests of Woodley people by commenting upon all planning issues, including Development Briefs, Local Plans, Structure Plans, Development Control, Planning Appeals, Mineral Extraction and Waste Disposal and to make site visits where necessary.
2. To disseminate information on planning issues to Woodley people and to encourage their participation in responding to consultations on planning matters.
3. To use full delegated authority to exercise the Town Council's statutory right to be consulted and to make representations to the local planning authority on planning applications.
4. To consider the environmental impact of planning proposals in Woodley and adjacent parishes.
5. To propose new street names and maintain and review a list for that purpose.
6. To be authorised to appoint sub committees and/or working parties to deal with matters delegated to the committee and to delegate such powers as vested in the committee.
7. To oversee arrangements for the Council's views to be presented to the local planning authority where an application has been listed for consideration by Wokingham Borough Council Planning Committee. These arrangements to be in line with the Council's policy (FC 24/6/13 Min No 31) that such a presentation be undertaken by a town councillor for the ward in which the application is situated; if that is not possible a member of the Plans Committee will make the presentation.
8. To receive notification of:
 - planning applications
 - planning decisions
 - planning appeals
 - consent for tree works
 - enforcement matters
 - neighbour consultations
 - permitted development certificates
 - other matters relating to the planning process
9. To promote and encourage the use of public transport services, to meet the needs of Woodley residents and traders, either directly or by liaison with existing operators and to support improved facilities for the disabled, pedestrians and cyclists.
10. To provide facilities to help and advise the public directly or through voluntary agencies, such as the Citizens Advice Bureau.

11. To represent the interests of Woodley people by co-operation and liaison with other statutory authorities, voluntary organisations and enterprises which provide service to them [excluding recreational and planning issues].
12. To respond to consultations from statutory bodies and other organisations providing services in the town on matters within the Committee's remit.
13. To liaise with any bodies providing, or intending to provide, housing for rent in Woodley or to Woodley people.
14. To consider any other matters of interest to Woodley people, within the Committee's remit, making recommendations to the Strategy and Resources Committee if unplanned expenditure is required.
15. To recommend to the Strategy and Resources Committee the committee's requirements for revenue estimates.
16. To monitor and manage the Committee's budgets and be authorised to transfer funds between each expenditure head, within a location, to meet unexpected expenditure within the powers delegated to the committee.
17. To review nominations for the annual Citizens Awards and appoint the award winners.
18. To receive and review applications for annual grants and make recommendations to the Strategy and Resources Committee on the grants to be made.
19. To be authorised to appoint sub-committees and working parties to deal with matters delegated to the committee and to delegate such powers as vested in the committee.
20. To discourage waste and to promote the recycling of materials and the use of such materials wherever appropriate.
21. To consider, where appropriate, the environmental impact on decisions being made by the committee
22. To consider and make representations, where appropriate, on environmental issues within Woodley that may have an adverse effect on residents.

Reviewed 10 May 2016

WOODLEY TOWN COUNCIL

Powers delegated to the Town Clerk

1. To be head of the Council's paid service, with authority over all employees for ensuring the efficient management of the use of the Council's resources.
2. To be the "Proper Officer" of the Council for the purposes of the Local Government Act, 1972 and for all other statutory purposes.
3. To be the Responsible Financial Officer in accordance with Section 151 of the Local Government Act, 1972, the Audit and Account Regulations and other relevant financial regulations.
4. To act as the Council's principal advisor on matters of general policy and for the co-ordination of advice on matters affecting such policy.
5. To be empowered to seek any required planning or building control permission in pursuance of any resolution or objective of the Council.
6. To be responsible for the day-to-day maintenance of all Council property, equipment and machinery.
7. To sign, seal and deliver any agreements, contracts, conveyances, licences, permission, consent or approval which may be required under any enactment or by virtue of any contract, covenant or agreement in the presence of two Members of the Council.
8. To be the holder of any licences in respect of any of the Council's public buildings and, whilst such licences are in operation, to have overall responsibility for such buildings or area for which the licence is granted.
9. To administer meetings of the Council, its committees and sub-committees; preparing such notices, agendas, reports and minutes as are needed to comply with the relevant statute.
10. To have authority to deal with all enquiries, petitions and complaints from members of the public and referring those that cannot be resolved to the Leader/Deputy Leader of the Council and appropriate committee Chairman.
11. To be authorised to issue press statements on behalf of the Council in accordance with approved activities and pursuant with the objectives of the Council.
12. To be authorised to liaise with other public authorities, statutory and voluntary bodies and to attend the necessary meetings.
13. To be responsible for all staff matters, the appointment of all staff other than the posts that report directly to the Town Clerk. (As at April 2015 these are; Service Support Manager, Committee Officer, Leisure Services Manager, Head Groundsman) If necessary to be the Proper Officer for dealing with grievance matters, disciplinary procedures and, in the appropriate cases, for the dismissal of staff. A report to be submitted to the Strategy and Resources Committee where staff are dismissed.

14. To be authorised to place orders on behalf of the Council in accordance with the approved estimates, policies of the Council and the Standing Orders.
15. To be authorised to make payments for:
 - Staff salaries and wages.
 - Staff expenses/training fees/conference fees.
 - Refund of deposits held
 - Grants
 - Goods and services which require payment in advance or where payment is a matter of urgencyreporting to the Strategy and Resources Committee on all payments made.
16. To be authorised to delegate duties to the staff, providing full control measures exist, and during absence through leave, sickness, or for any other authorised reason, to delegate to the appropriate Managers.
17. To be authorised in extreme urgency to take such action as necessary to protect the Council, the general public, staff or property, where it would be impracticable or impossible to obtain prior authority from the Council or its committees.
18. To be authorised to make short-term investments to a maximum of the precept at any one time. Such investments shall meet the requirements set out in the Council's Treasury Management Strategy with either reputable banks or building societies and on terms best beneficial to the Council. To report to the Strategy and Resources Committee all investments made, the institutions used and the rates of interest obtained.

WOODLEY TOWN COUNCIL

CODE OF CONDUCT FOR COUNCILLORS

1 Introduction

This Code of Conduct applies to Councillors and Co-opted Members whenever they are acting as a Member or as a representative of the Council or when they claim to act or give the impression of acting as a representative of the Council.

It does not apply to when the Councillor or Co-opted Member is acting in a private capacity.

When carrying out their public role, Councillors and Co-opted Members should always have regard to the seven principles of public life. These are: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Any person may make a complaint if a Councillor or Co-opted Member does not act in accordance with this Code. It is the Councillor and Co-opted Member's sole responsibility to comply with the Code.

A Members' Interest form is provided by the Town Clerk to register interests. He or she will then forward it to Wokingham Borough Council's Monitoring Officer, who has a statutory duty to establish and maintain a register of interests of Town and parish Council Members. It should be noted that the form will be published on Wokingham Borough Council's website. When a Councillor or Co-opted Member declares an interest at a meeting of the Council, they should be aware that this will be noted in the Minutes of the Meeting, which is a public document.

If any Councillor or Co-opted Member is unsure about any part of the Code of Conduct, they are urged to seek advice from the Town Clerk.

There are three areas to the Code of Conduct:

- 1 Rules about registration of Disclosable Pecuniary Interests and Personal Interests with Wokingham Borough Council's Monitoring Officer using the Members Interest Form (Section 3)
- 2 Rules about declaring interests in meetings where items on the agenda conflict with those interests (Sections 4, 5 and 6)
- 3 Rules about general behaviour (Section 8)

2 Interpretation

- "Co-opted Member" means a person who is a member of any committee, sub-committee, working party or partnership of the Council or is a member of and represents the authority on any joint committee of the Council and who is entitled to vote on any question which falls to be decided at any committee or sub-committee.
- "Councillor" means a Member or Co-opted Member of this Council.
- "Meeting" means any meeting of:
 - a) the Council;
 - b) any of the Council's committees, sub-committees, working parties, partnerships, joint-committees or joint sub-committees;
- "Member" includes a co-opted Member and an appointed Member of this Council

3 Registration of Disclosable Pecuniary Interests and Personal Interests

3.1

Within 28 days of this Code being adopted by the Council, OR the Councillor's election, OR the Co-opted Member's appointment (whichever is later) Councillors must register with Wokingham Borough Council's Monitoring Officer. the interests which fall within the categories set out in Appendices A and B.

3.2

Upon the re-election of the Councillor or the re-appointment of the Co-opted Member, Councillors must within 28 days re-register with Wokingham Borough Council's Monitoring Officer any interests in Appendices A and B.

3.3

Councillors must register with Wokingham Borough Council's Monitoring Officer.any change to interests or new interests in Appendices A and B within 28 days of becoming aware of the change.

3.4

Councillors need not register any interest which Wokingham Borough Council's Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if made public, could lead to the Councillor or a person connected to a Councillor being subject to violence or intimidation.

4 Declaration of Disclosable Pecuniary Interests at meetings

4.1 Where a matter arises at a meeting which relates to an interest in Appendix A, Councillors must do the following:

4.2 They should declare their interest at the beginning of the meeting when asked to do so by the Chairman, or if not then, they must do so before the matter is discussed. They must do so regardless of whether or not the interest is registered in their Members Interest form.

4.3 Where a matter arises at a meeting which is a sensitive interest as defined under rule 3.4 Councillors do not have to declare the exact nature of their interest but must follow the rules regarding non-participation, in rules in 4.4 and 4.5 below

4.4 When the item is introduced at the meeting, Councillors may continue to attend the meeting but only for the purpose of making representations, answering

questions or giving evidence provided that the public are also allowed to attend the meeting for the same purpose.

4.5 They must then leave the room before the matter is discussed and voted upon.

5 Declaration of Personal Interests at meetings

5.1 Where a matter arises at a meeting which relates to or affects an interest in Appendix B or a financial interest of the Councillor, a friend, relative or close associate (and it is not a Disclosable Pecuniary Interest listed in Appendix A), Councillors must do the following:

5.2 They should declare the interest at the beginning of the meeting when asked to do so by the Chairman as a "Personal Interest" or if not then, they must do so before the matter is discussed or voted upon. They must do so regardless of whether or not the interest is registered in their Members Interest form.

5.3 Where a matter arises at a meeting which is a sensitive interest as defined under rule 3.4 Councillors do not have to declare the exact nature of their interest

5.4 They may however participate in the discussion and vote on the matter, subject to Section 6 below.

6 Declaration of Prejudicial Interests at meetings

6.1 Where the matter affects the declared interest under rule 5.1 more than the majority of people in the area affected by the decision, and a reasonable member of the public would think the Councillor's view of the public interest would be adversely affected, the Councillor must do the following:

6.2 They should declare this as a Prejudicial Interest at the beginning of the meeting when asked to do so by the Chairman, or if not then, they must do so before the matter is discussed.

6.3 Where a matter arises at a meeting which is a sensitive interest as defined under rule 3.4 Councillors do not have to declare the exact nature of their interest but must follow the rules regarding non-participation, in rules 6.4 and 6.5 below.

6.4 When the item is introduced at the meeting, Councillors may continue to attend the meeting but only for the purpose of making representations, answering questions or giving evidence provided that the public are also allowed to attend the meeting for the same purpose.

6.5 They must then leave the room before the matter is discussed or voted upon.

7 Dispensations

7.1 On a written request, the Town Clerk may grant a Councillor a dispensation to participate in a discussion and/or vote on a matter at a meeting where they would otherwise not be allowed to if the Town Clerk believes that the number of Councillors otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the Councillor to take part or it is otherwise appropriate to grant a dispensation. The dispensation will last no longer than 4 years from the date of the dispensation. The procedure for seeking a dispensation is attached as an appendix to the Council's Standing Orders.

8 Behaviour

8.1

Councillors must not behave in such a way that a reasonable person would regard as disrespectful to others.

8.2

Councillors must not act in a way which a reasonable person would regard as bullying, or in any way which is intimidating to others.

8.3

Councillors must not seek improperly to confer an advantage or disadvantage on any person.

8.4

Councillors must only use the resources of the Council when undertaking Council business.

8.5

Councillors must not knowingly disclose information which they believe, or ought reasonably to be aware, is confidential or where disclosure is prohibited by law, unless it is with good cause, or they have the consent of the person authorised to give it, or they are required by law to do so.

8.6

Councillors must respect the impartiality of officers and not put undue pressure on them.

8.7

Councillors must not do anything which may cause their Council to breach any of the equality enactments (as defined in the Equality Act 2010).

8.8

Councillors must notify the Town Clerk of any gifts or hospitality worth more than an estimated value of £25 which the Councillor has received by virtue of his or her office or any gifts or hospitality worth more than an estimated value of £25 which they have been offered but which they subsequently declined.

**APPENDIX A
DISCLOSABLE PECUNIARY INTERESTS**

Interests defined by regulations made under s30(3) of the Localism Act 2011 and described in the table below.

(In the extracts from the Regulations below, 'M' means you and 'relevant person' means you and your partner). "Partner" means a spouse or civil partner of M, or a person with whom M is living as husband and wife or a person with whom M is living as if they were civil partners

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

These descriptions on Disclosable Pecuniary Interests above are subject to the following definitions;

The Act	means the Localism Act 2011
Body in which the relevant person has a beneficial interest	means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;
Director	includes a member of the committee of management of an industrial and provident society;
Land	excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;
M	means a member of a relevant authority;
Member	includes a co-opted member;
Relevant authority	means the authority of which M is a member;
Relevant period	means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;
Relevant person	means M or any other person referred to in section 30(3)(b) of the Act;
Securities	means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

IMPORTANT NOTE:

Under s34 of the Localism Act 2011 it is a criminal offence if a Member or co-opted Member:

- a) fails to notify Wokingham Borough Council's Monitoring Officer of any Disclosable Pecuniary Interest within 28 days of election;
- b) fails to disclose a Disclosable Pecuniary Interest at a meeting of the Council if that interest is not included on the register;
- c) participates in any discussion or vote on a matter in which they have a Disclosable Pecuniary Interest;
- d) fails to notify Wokingham Borough Council's Monitoring Officer within 28 days of a Disclosable Pecuniary Interest that is not included on the register that they have disclosed to a meeting;
- e) knowingly or recklessly providing information that is false or misleading in notifying Wokingham Borough Council's Monitoring Officer of a Disclosable Pecuniary Interest or in disclosing such an interest to a meeting.

APPENDIX B REGISTERED PERSONAL INTERESTS

Councillors must register:

- i) any body of which the Councillor is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- ii) any body
 - exercising functions of a public nature; or
 - directed to charitable purposes; or
 - one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),
 -of which the Councillor is a member or in a position of general control or management;