

EUXTON PARISH COUNCIL



Meeting arrangements: Full Council Meeting

Thursday, 21 February 2019, 7.15 pm start

Annexe, Euxton PC Community Centre, Wigan Road, Euxton

A G E N D A

Page Ref

1. Apologies
2. Declarations of Interest and Dispensation Considerations
Members are reminded of their responsibility to declare any interest in respect of any matters contained or brought up at any point in this meeting, in accordance with the current Code of Conduct. Council will consider dispensation requests.
3. Minutes of Council Meetings
Council Minutes of the last meeting, approve their signing as a correct record Item 3
4. Statutory Business
Planning - Consider planning report from Lead Member for Planning, approve responses and ratify responses made between meetings or to meet deadlines Item 4
Lead Member for Planning role – looking for a Councillor volunteer to take this role
5. Public Participation
Matters brought to the Parish Council by residents. Residents will have twenty minutes set aside during which each resident shall have three minutes.
6. Financial Items
 - 6.1 Approve Expenditures on report, and any submitted later Item 6.1
 - 6.2 Receive financial reports (Item 6.2a Income, 6.2b Reconciliation, 6.2c Budgets) Item 6.2
7. Committee Reports – verbal updates
8. Standing Orders Working Group
The working group recommends the revised standing orders be adopted Item 8
9. Matters for information
Receive or update on the 'Fault Reports Log' Item 9
Receive footpath works log
Notify the Chair prior to the meeting starts of any item to be brought up under this section. Only items of information, referral to another authority, or matters offered for consideration at a future meeting can be raised. No legal decisions can be taken.

Full Council meeting dates 2019: 21 March, 18 April, 16 May, 20 June, 18 July, 19 September, 17 October

Newsletter deadlines: 2 May 2019 for June issue, 1 August 2019 for September issue; 8 November 2019 for December issue, early February 2020 for March issue.

D. Platt

CLERK

Published: 13/02/19

Date, Valid, Ref	Description/Location (click to be directed to www)	Comment/Recommendation
19/00026/FULHH Ingle Nook 4A Washington Lane	Raising of eaves and ridge height to include dormer to north eastern elevation, single storey side extension, elevational alterations including Juliet balcony to rear, changes to windows and external materials	
19/00016/CO3MAJ Land To The Rear Of Brookfield Alker Lane	Outline application for employment development comprising of Office (Use Class B1), Light industrial (Use Class B1) and General Industrial (Use Class B2) uses with all matters reserved apart from access	
19/00064/FULHH 44 Empress Way Euxton	Extension to existing detached garage including change from flat to pitched roof	
19/00042/FULHH 270 Wigan Road Euxton	Single storey side/rear extension and detached garage	
19/00036/TPO Avonlea Euxton Lane	Ash (T1) - Tree in decline with dead canopy. Remove top to 20ft,leave lower canopy for cover	
19/00084/ADV Land At Barnes Wallis Way BV	Application for advertisement consent for the display of 23no. illuminated and non-illuminated site and building signs	
19/00080/FUL P And E Commercial And Agricultural Services 252 Wigan Road	Change of use to MOT and service garage (retrospective)	
19/00073/TPO 25 Cotswold Avenue	Oak Tree within G10 of Chorley Rural District Council TPO 1 (Euxton) 1968 - previous trimming works completed approx 5/6 years ago with permission. Tree is now diseased with fungi, very brittle and with a quantity of dead branches. Proposal is to tidy up using a tree surgeon	
19/00060/FULMAJ Land North Of Units A1- A4 Buckshaw Link Ordnance Road BV	Section 73 application to vary condition 17 (delivery and serving hours) of permission ref: 15/00089/FULMAJ (which was for erection of food-store (Use Class A1), community centre (Use Class D2), flexible use divisible unit (Use Classes A2, A4 or A5) with vehicular access, car parking, servicing area, and hard and soft landscaping) to allow unrestricted delivery and serving hours of the Aldi store	

19/00044/FUL Greenside Football Pitches Greenside	Construction of all weather multi use games area with perimeter fencing	
19/00120/TPO 39 Fieldside Avenue	Application for works to a protected tree, Chorley BC TPO no. 3 (Euxton) 1978. T1 Oak - Remove split out branch in upper canopy. Remove epicormic growth and deadwood to preserve the health and appearance of the tree.	
QUESTIONS RAISED		

APPLICATIONS SINCE AGENDA		

Current Bank A/c

List of Payments made between 18/01/2019 and 28/02/2019

<u>Date Paid</u>	<u>Payee Name</u>	<u>Reference</u>	<u>Amount Paid</u>	<u>Authorized Ref</u>	<u>Transaction Detail</u>
18/01/2019	Chorley Borough Council	266	251.00		Planning App Greenside
22/01/2019	Filcris Ltd	267	930.00		Frame for MGreen board
22/01/2019	HiViz Workwear	268	116.94		Workwear
30/01/2019	Fire Protection Online Ltd	269	46.12		Fire Protection
30/01/2019	British Telecom	270	116.89		Telephony
01/02/2019	Easy Websites	271	80.40		Website/emails
21/02/2019	DWG (NW) Ltd	272	265.00		Planter
21/02/2019	Eco-Arts	273	900.00		Willow artwork
21/02/2019	Eccleston Electrical	274	697.78		Heater and light
21/02/2019	Studholme Bell Ltd	275	144.00		Salary service
21/02/2019	Nuts	276	73.80		Keys
21/02/2019	Nuts	277	10.80		Hardware
21/02/2019	Peoples Pension	278	93.25		Pensions
21/02/2019	Various	279	1,558.04		Remuneration Feb 19 E1
21/02/2019	Various	280	1,031.20		Remuneration Feb 19 E2
21/02/2019	Various	281	906.26		Remuneration Feb 19 E3
21/02/2019	Various	282	846.51		Remuneration Feb 19 E4
21/02/2019	Various	283	722.48		Remuneration Feb 19 E5
21/02/2019	Various	284	958.24		Remuneration Feb 19 E6
21/02/2019	HMRC	285	409.14		Tax&NI Feb19
21/02/2019	RHF Turf Growers	286	374.40		Bark
21/02/2019	RHF Turf Growers	286	-14.40		Bark

Total Payments 10,517.85

Current Bank A/c

Receipts received between 01/01/2019 and 28/02/2019

Nominal Ledger Analysis

<u>Receipt Ref</u>	<u>Name of Payer</u>	<u>£ Amnt Received</u>	<u>£ Debtors</u>	<u>£ VAT</u>	<u>A/c</u>	<u>Centre</u>	<u>£ Amount</u>	<u>Transaction Detail</u>
	Banked: 02/01/2019	63.41						
	CCLA	63.41			1080	220	63.41	Interest
	Banked: 10/01/2019	41.19						
	TSB	41.19			1080	220	41.19	Interest
	Banked: 10/01/2019	0.30						
	TSB	0.30			1080	220	0.30	Interest
	Banked: 15/01/2019	38.63						
	Santander	38.63			1080	220	38.63	Interest
	Banked: 31/01/2019	13.01						
	RBS	13.01			1080	220	13.01	Interest
	Total Receipts:	156.54	0.00	0.00			156.54	

**Bank Reconciliation Statement as at 28/02/2019
for Cashbook 1 - Current Bank A/c**

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
RBS Current Account	31/01/2019	144	568.53
RBS High Interest	31/01/2019	87	68,122.51
TSB - Current	01/10/2018	7	417.18
Coop - Current	31/10/2018	28	973.09
Barclays Current	16/01/2019		65.00
Santander	02/02/2019	2019	75,845.04
RBS Debt Card	31/01/2019	45	4,000.00
TSB - Savings	03/02/2019	10	49,110.63
Coop - Savings	26/11/2018	9	5,004.26
Barclays Savings	16/01/2019		75,115.14
Public Sector Deposit Fund	31/01/2019	9	100,410.26
			<u>379,631.64</u>

<u>Unpresented Cheques (Minus)</u>	<u>Amount</u>
01/02/2019 271 Easy Websites	80.40
21/02/2019 272 DWG (NW) Ltd	265.00
21/02/2019 273 Eco-Arts	900.00
21/02/2019 274 Eccleston Electrical	697.78
21/02/2019 275 Studholme Bell Ltd	144.00
21/02/2019 276 Nuts	73.80
21/02/2019 277 Nuts	10.80
21/02/2019 278 Peoples Pension	93.25
21/02/2019 279 Various	1,558.04
21/02/2019 280 Various	1,031.20
21/02/2019 281 Various	906.26
21/02/2019 282 Various	846.51
21/02/2019 283 Various	722.48
21/02/2019 284 Various	958.24
21/02/2019 285 HMRC	409.14
21/02/2019 286 RHF Turf Growers	374.40
21/02/2019 286 RHF Turf Growers	-14.40
	<u>9,056.90</u>
	370,574.74

<u>Receipts not Banked/Cleared (Plus)</u>	
	0.00
	<u>0.00</u>
	370,574.74
Balance per Cash Book is :-	370,604.71
Difference is :-	-29.97

Detailed Income & Expenditure by Budget Heading 14/02/2019

Council Detail Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>100 Employees</u>							
4000 Employees	(52,837)	(73,000)	20,163		20,163	72.4%	
<u>120 Housekeeping</u>							
1090 Income Publicity	1,295	0	(1,295)			0.0%	
1100 Grants and Donations RCVD	54	0	(54)			0.0%	
4010 Payroll Services	(555)	(1,100)	545		545	50.5%	
4070 Mileage	(2,637)	(1,900)	(737)		(737)	138.8%	
4075 Employee Training	(285)	(1,200)	915		915	23.8%	
4080 General Office	(2,369)	(2,000)	(369)		(369)	118.5%	
4090 Publicity	(4,545)	(3,842)	(703)		(703)	118.3%	
4100 Insurance	(1,796)	(1,800)	4		4	99.8%	
4110 Subscriptions	(180)	(200)	20		20	90.0%	
4120 Audit	(890)	(1,250)	360		360	71.2%	
4130 Legal Fees/Planning Investig	(381)	(5,000)	4,619		4,619	7.6%	
4160 Website Maintenance	(707)	(800)	93		93	88.4%	
4180 Room Hire	(159)	(600)	442		442	26.4%	
<u>140 Council</u>							
4211 Training/conference fees Counc	(190)	(150)	(40)		(40)	126.7%	
4220 Elections and Parish Poll Fund	(5,000)	(5,000)	0		0	100.0%	
<u>160 Grants/S137</u>							
4250 Grants	(2,670)	(3,500)	830		830	76.3%	
4260 Christmas Celebrations	(1,470)	(2,000)	530		530	73.5%	
<u>180 Special Events/Projects</u>							
4300 Euxton Gala	(1,092)	(1,000)	(92)		(92)	109.2%	
4310 Speed Indicator Device	0	(1,150)	1,150		1,150	0.0%	
4340 Increase Public Involvement	0	(250)	250		250	0.0%	
4350 Finance Software	(119)	(125)	6		6	95.2%	
4380 Heritage/Sign Project	0	(1,500)	1,500		1,500	0.0%	
4390 Defibrillator Project	(1,515)	(1,500)	(15)		(15)	101.0%	
4430 Millennium Green Pond Project	(3,267)	(3,267)	0		0	100.0%	
<u>200 Amenity/Utility</u>							
1540 Income All Purposes Committee	1,000	0	(1,000)			0.0%	
1570 Income RRM	3,730	0	(3,730)			0.0%	
4500 Utilities	(488)	(1,150)	662		662	42.4%	
4510 Gardens/Planting/Competitions	(7,745)	(18,000)	10,255		10,255	43.0%	
4530 Millennium Green	(2,253)	(10,000)	7,747		7,747	22.5%	
4540 All Purpose Committee	(1,374)	(2,500)	1,126		1,126	55.0%	
4570 Amenity/Open Space RRM	(30,802)	(35,656)	4,854		4,854	86.4%	
4590 Bowling/Boules Project	(13,828)	(10,730)	(3,098)		(3,098)	128.9%	

Detailed Income & Expenditure by Budget Heading 14/02/2019

Council Detail Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>220 Other</u>							
1076 Precept	159,000	0	(159,000)			0.0%	
1080 Bank Interest Received	1,052	0	(1,052)			0.0%	
1100 Grants and Donations RCVD	41,709	0	(41,709)			0.0%	
1620 Income CIL	174,092	0	(174,092)			0.0%	130,103
<u>300 EMR's</u>							
9320 EMR Emergency Fund	(436)	(23,000)	22,564		22,564	1.9%	436
9330 EMR Land Fund	0	(65,000)	65,000		65,000	0.0%	
9340 EMR Street Machines	0	(4,009)	4,009		4,009	0.0%	
9350 EMR Ransnap Brook	0	(279)	279		279	0.0%	
9360 EMR EMR ELF	(35)	(35)	0		0	100.0%	23
9370 EMR CIL	(7,712)	(45,226)	37,514		37,514	17.1%	7,712
<hr/>							
Grand Totals:- Income	381,933	0	(381,933)			0.0%	
Expenditure	147,337	327,719	180,382	0	180,382	45.0%	
Net Income over Expenditure	<u>234,596</u>	<u>(327,719)</u>	<u>(562,315)</u>				
plus Transfer From EMR	8,171						
less Transfer From EMR	130,103						
Movement to/(from) Gen Reserve	<u>112,665</u>						



Euxton Parish Council

Report of the Standing Orders Working Group

Subject: Revised Standing Orders
Date of Meeting: 21st February 2019
Purpose: For the council to consider the adoption of a new instrument of standing orders

BACKGROUND

At the July 2018 meeting a draft set of model standing orders drawn up by the National Association of Local Councils was tabled by the clerk for consideration. The council determined to establish a working group to review the proposed model standing orders by comparison to the council's current standing orders with a view to recommending any required changes to the standing orders adopted by the council in February 2012 as further revised in September and October 2014.

WORKING GROUP

The Working Group tasked with undertaking the review comprised of:

- Cllr Andy Oddy – elected chair
- Cllr Chris Jones
- Cllr Dez Rigg
- Cllr Mark Wilmot
- Cllr Patricia Fellows

The working group met on two occasions (4th September, 18th September 2018) to review, consider and agree any rationale for proposed changes and subsequently exchanged track-controlled versions of the proposed revised standing orders until consensus was reached in October.

SUMMARY OF PROPOSED CHANGES

Summary of change	Rationale for change
Section 1 – Council Business and Meetings	This section broadly follows the structure of the current standing orders, but changes are proposed as below
1.2 – removal of requirements for at least 3 additional meetings over and above Annual Meeting in May	Unnecessary as 1.1 states the council will meet every month – removes any confusion
1.4 – Proper Officer Role defined in much more detail	The council is growing and employee count is expanding. It is felt essential to ensure that the role of the Proper Officer is clear and that the demarcation of Proper Officer and Finance Officer should also be clear in case the council wishes to split the job in future.
1.6. – exceptions to voting by show of hand and ensuring that votes can only be cast by members with voting rights and draws attention to the code of conduct. Codifies the right for a member to require a recorded vote	The current SO does not envisage exceptions even though there are some lower down. Avoids confusion. Voting rights only apply to certain members – persons co-opted onto committees as “experts” for example do not have a vote. Code of conduct highlighted to draw attention to the member with a pecuniary interest considering whether they should vote on such a matter. The right to require a recorded vote is not within current SOs

Item 8

Summary of change	Rationale for change
1.8 – removed the qualification that to change the order of the business must be on “grounds of urgency”	For the more expedient running of meetings
1.9 – sets out a code for submitting motions and criteria for where such motion requires notice in writing to the Proper Officer and having these admitted onto the agenda. Empowers the proper Officer to accept or reject or amend the notice of motion	Non-existent in the current SOs. Technically no motions require any notice in writing to the clerk under current arrangements.
1.10 – List of motions that do not require Notice in Writing	This change sets out what can be done without Notice. Anything not caught in that list requires Notice in Writing – see 1.9
1.11 – brings together a number of SOs around appointments and puts them in one place	Ease of reference to rules on Appointments. Note the working group did debate at length the inclusion of the word “Preferably” in 1.11.2 as this makes the rule subjective. It does however offer flexibility in the instance that no member with three years’ service wants the appointment
1.12 – Rules of Debate have been extended somewhat to cover more scenarios. The proposed SO brings together current SOs 1.10, 1.11 and 1.12 into one composite SO The only elements removed are the right to speak only with permission of the Chairman and that all “remarks” shall be addressed through the Chairman.	The proposed rules of debate are more extensive and provide clarity when needed. It was felt that it cannot be right that a member can only raise a Point of Order with permission. “Remarks” as a term is not well defined and unclear as to whether this includes moving and seconding a motion, speaking to raise a point of order or to move an amendment. It is considered superfluous in the proposals
1.14 – new proposal extends the duty of confidentiality to contractors, agents and staff who may be present in meetings	Gives greater assurance that confidentiality will be observed
1.15 – provides for the calling of extra-ordinary meetings and how these should be handled	No current provision for extra-ordinary meetings within the Standing Orders.
1.16 – provides rule (in line with legislation) that meetings cannot be held on licenced premises and sets out the rules (for clarity and transparency) on the notice period for agendas of council meetings	For reasons of clarity and transparency
Section 2 – Admission of the public and press to meetings	Replaces 1.19 of current Standing Orders
2.1 – Public Access	Clarifies public right of access to meetings in line with statute
2.2. – Public Right to Speak. This is a significant change from “as is” in so far as the council would no longer suspend standing orders to enable public participation. Instead, it is proposed, in line with NALC guidelines, that the public session should be within standing orders. The chair would still be the chair of the meeting, whilst the public have a right to raise a topic, there is no requirement that the council should answer it or give a view there and then but may determine to answer in writing or verbally. Also, it is proposed to prohibit a debate on	Brings council in line with NALC guidelines Brings public participation into an orderly and governed session rather than the perceived free for all it has become on several occasions of late. Gives the chair responsibility and accountability to run the meeting Gives council a chance to deliberate on the question without individual members “thinking on the hoof” Session/speaking times are current policy but not stated in SOs

Item 8

Summary of change	Rationale for change
the question being put by the public participant although the chair may direct that an answer be given. Sets out a restriction of [20] minutes for the public session and [3] minutes per speaker	
2.3 – Recording/filming etc of meetings	Expands on what is provided for in existing 1.19 for purposes of clarity and transparency. The council may wish to consider adopting a policy on media going forward.
2.4 – Conduct of persons at meetings – this section codifies the rules on participation in debate at meetings. In this context the rules apply equally to members as they do to the public and should not be read as being restricted to the behaviour of members of the public	Replaces parts of SO 2.3 “Disorderly Conduct” of existing – provides clarity that the rules of behaviour apply both to members and to the public Ensures the chair has something to fall back on when behaviour is not in accordance with the expected standard.
3 – Conduct – broadly in line with current section 2 but provides detail on handling dispensations and complaints, neither of which are mentioned in existing SOs	Expands on current section 2 and beefs up the Local Government Code of Conduct and levels of conduct expected from members.
3.1 – explicitly references the Code of Conduct (as provided by central government and adopted locally) standards shall apply to members	Clarity and transparency
3.2 – Interests – sets out how the council should handle member or non-member interests and amplifies the current provision of SO2.6 by adding in reference to a dispensation as provided for by the Code of Conduct	Alignment with Code of Conduct on dispensations
3.3 – Dispensations – this section is new and provides for how a member or non-member may request a dispensation in relation to their perceived or declared interest AND for how the council should consider such a request and what the criteria are as to whether such a request should be granted	Alignment with Code of Conduct Provides Clerk and councillors and non-members at meetings with a framework within which to handle a dispensation request
3.4 Code of conduct complaints – this section is new and sets out how the council should handle code of conduct complaints in accordance with the Code of Conduct. Note that Chorley are the complaint handling authority in such a scenario.	Alignment with Code of Conduct Provides council with a framework within which to handle conduct complaint notices received from Chorley and for any action required if a conduct complaint is upheld
3.5 – Restrictions on Councillor Activities	No change – section 2.7 in current SOs
4 – Council Committees	Replaces section 3 of existing
4.1 – Appt of committees sets out the rules for establishing and attending any council committees. The rules set out that the Council shall determine membership, quorum, notice requirements, appointment of chair and a range of other issues including public participation. Removes requirement that all sub-committee members must be members of the parent committee.	Alignment with NALC recommendation on having clarity on Committee set up, purpose and membership. Note the proposed Rules of Debate SOs cover committees as well as council so no need to repeat nor explicitly state this in this section
5 – Finance	Enhances existing SO4, particularly around the role of the RFO

Item 8

Summary of change	Rationale for change
5.1 – Responsible Finance Officer – sets out a requirement to appoint an employee as RFO	Enables the role to be split from Proper Officer if desired
5.2 – Accounts and Accounting Statements – provides a lot more detail than current SO 4.2 about what is expected in the accounts from the RFO and a timetable for when these should be tabled before the council	Provide the RFO with clarity and direction around process and requirements for accounting to the council and the public
5.3 – Financial Controls and Procurement – substantially expands on current SO 4.1 “Financial Regulations” and 4.3 “Estimates” ensuring proper controls are in place around expenditure	Provide the RFO with clarity and direction around process and controls for procurement and enhanced assurance to the Council
6 – Management Information	New
6.1 – Record Keeping - Sets out clear requirements for Record Keeping- covers all formats of records. Provides for Retention policy to be in place and adhered to. Provides for records to be kept confidential if so determined by Council	Current SOs are silent on information management and records retention – in the modern age the council cannot take risks with the substantial information records that it holds and it is imperative that the Council provides guidance to its employees on the law and council policy
6.2 – Minutes of Meetings – provides guidance on what should be recorded in the minutes, the role and purpose of draft minutes and the process for approving them. Also sets out the process for dealing with incorrect minutes	Current SOs are silent on expectations and standards for the recording of council business. Provides clear guidance to the Proper Officer on expectations as to what should be recorded in the minutes
6.3 – Publication of Information - provides that Council will always publish information in accordance with its Publication Scheme and the transparency regs	Compliance with the law for public bodies
6.4 – Data Protection – new to cover the increasingly important subject of privacy since the GDPR came into force in 2018. Includes a requirement to appoint a Data Protection Officer and have all relevant policies in place, a process in place for handling a data protection breach and other ancillary matters	Required by law and best practice
7 -Staffing Matters	New – current SOs silent on handling staffing matters
7.1 – Personnel Committee – codifies the terms of reference for the Personnel Committee and sets out requirements for sickness absence monitoring, performance and annual review and handling of grievances	No reference to staffing processes in the current SOs
7.2 – Access to Staff Records – assures confidentiality of staff records	No reference to staffing records being confidential in current SOs
8 – Sealing of Documents	No change to existing SO 1.16
9 – Generally - Incorporates existing SOs 1.18 and determines that the Chair’s decision is final	No change to existing SO 1.18

RECOMMENDATION

That the revised standing orders table by the Standing Orders Working Group be adopted with immediate effect



EUXTON PARISH COUNCIL STANDING ORDERS

[To Be] Adopted February 2019

[This page is intentionally blank]

DRAFT

Contents

1.	Council Business and Meetings	3
1.1.	Meetings	3
1.2.	Annual Meeting	3
1.3.	Presiding at Meetings	3
1.4.	Proper Officer	3
1.5.	Quorum	4
1.6.	Voting	4
1.7.	Order of Business	4
1.8.	A motion to vary the order of business:	5
1.9.	Motions for a meeting that require written notice to be given to the Proper Officer	5
1.10.	Resolutions Moved Without Notice	5
1.11.	Appointments	6
1.12.	Rules of Debate	6
1.13.	Rescission of Previous Resolution	7
1.14.	Confidential Business	8
1.15.	Extraordinary Meetings of the Council, Committees and Sub-Committees	8
1.16.	Generally	8
2.	Admission of the Public and Press to Meetings	8
2.1.	Public Access	8
2.2.	Public right to speak	8
2.3.	Recording/film/photo/video Capture of Council Meetings	9
2.4.	Conduct of Public at meetings	9
3.	Conduct	9
3.1.	The Code of Conduct	9
3.2.	Interests of Councillors and Non-councillors with voting rights	9
3.3.	Dispensations	10
3.4.	Code of conduct complaints	10
3.5.	Restrictions on Councillor Activities	10
4.	Council Committees	11
4.1.	Appointment of Committees	11
5.	Finance	11
5.1.	Responsible Financial Officer	11
5.2.	Accounts and Accounting Statements	11
5.3.	Financial Controls and Procurement	12
6.	Information Management	13
6.1.	Record Keeping	13
6.2.	Minutes of meetings	13
6.3.	Publication of Information	14
6.4.	Data Protection	14
7.	Staffing Matters	14
7.1.	Personnel Committee	14
7.2.	Access to staff records	15
8.	Sealing of Documents	15
9.	Standing Orders Generally	15

1. Council Business and Meetings

1.1. Meetings

Meetings of the Council commence at 7.15 pm and finish at 9.30 pm and shall normally be held on the third Thursday of each month (except August) at Euxton PC Community Centre, Wigan Road, Euxton - unless the Council otherwise decides at a previous meeting. Items on the Agenda not reached by 9.30 pm shall be deferred to the next meeting.

1.2. Annual Meeting

The Statutory Annual Meeting in an Election year shall be held on the fourth day after the date of the election or within fourteen days thereafter and, in a year which is not an election year, shall be held on any day in May.

1.3. Presiding at Meetings

- 1.3.1. **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- 1.3.2. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**

1.4. Proper Officer

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

1.4.2. The Proper Officer shall:

1.4.2.1. **at least three clear days before a meeting of the council, a committee or a sub-committee:-**

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

See standing order 1.16.2 below for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

1.4.2.2. **subject to standing order 1.9 below, include on the agenda all motions in the order received unless a councillor has given written notice at least () days before the meeting confirming his withdrawal of it;**

1.4.2.3. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office;**

1.4.2.4. **facilitate inspection of the minute book by local government electors;**

1.4.2.5. **receive and retain copies of byelaws made by other local authorities;**

1.4.2.6. **hold acceptance of office forms from councillors;**

1.4.2.7. **hold a copy of every councillor's register of interests;**

1.4.2.8. **assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;**

1.4.2.9. **liaise, as appropriate, with the Council's Data Protection Officer;**

1.4.2.10. **receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;**

1.4.2.11. **assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);**

- 1.4.2.12. arrange for legal deeds to be executed;
- 1.4.2.13. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- 1.4.2.14. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- 1.4.2.15. refer a planning application received by the Council to the Chair or in his absence the Vice-Chair (if there is one) of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council and;
- 1.4.2.16. manage access to information about the Council via the publication scheme.

1.5. Quorum

- 1.5.1. The quorum is three or one third of the total membership, whichever is greater.
- 1.5.2. **If a quorum is not present when the Council meets or if during a meeting the number of Councillors falls below the quorum, no business may be transacted and the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may fix.**

1.6. Voting

- 1.6.1. **Members shall vote by show of hands except for appointments under 1.7.1.1 to 1.7.1.6 below which shall, if a member requests it, be by a secret ballot to be conducted by the Clerk.**
- 1.6.2. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- 1.6.3. **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- 1.6.4. **If a member so requires, the Clerk shall record the names of the members who votes on any motion or amendment so as to show whether they voted for or against it.**
- 1.6.5. **Subject to 1.6.5.1 and 1.6.5.2 below, the Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote, even if he gave no original vote.**
 - 1.6.5.1. If the person presiding at the Annual Meeting would have ceased to be a member of the council but for statutory provisions which preserve the membership of the Chair and Vice-Chair until the end of their term in office he/she may not give an original vote in an election for Chair but shall give a casting vote in the case of an equality of votes.
 - 1.6.5.2. The Person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

1.7. Order of Business

- 1.7.1 **At each AGM the first business shall be:**
 - 1.7.1.1. **To elect a Chair (in accordance with standing order 1.7.2.1 below)**
 - 1.7.1.2. **To receive the Chair's declaration of Acceptance of office or, if not received, to decide when it shall be received.**
 - 1.7.1.3. **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
 - 1.7.1.4. **To decide when any declarations of acceptance of office, which have not been received as provided by law, shall be received.**
 - 1.7.1.5. **To elect a Vice Chair**
 - 1.7.1.6. **To appoint committees and representatives.**
- 1.7.2. After the first business has been completed at the Annual Meeting and at any other full council meeting the order of business, unless the Council otherwise decide on the grounds of urgency, shall be:

- 1.7.2.1. **to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received**
- 1.7.2.2. Apologies
- 1.7.2.3. Declarations of Interest
- 1.7.2.4. To consider accuracy of the Minutes, provided a copy has been circulated to each member not later than the day of issue of the summons the Minutes may be taken as read, **approve the signing of the Minutes by the Chair of the meeting as a correct record.**
- 1.7.2.5. To deal with business expressly required by statute to be done.
- 1.7.2.6. Dispose of business, if any remaining from the last meeting.
- 1.7.2.7. To authorise the sealing of documents.
- 1.7.2.8. To answer questions/queries from the public.
- 1.7.2.9. To receive and consider reports from officers of the Council.
- 1.7.2.10. To authorise the signing of orders for payment.
- 1.7.2.11. To receive and consider reports and minutes of committees and advisory committees.
- 1.7.2.12. To consider motions or recommendations in the order in which they have been notified.
- 1.7.2.13. Any further matters, not specified in the summons, must be considered urgent and notified and accepted by the Chair before commencement of the meeting. No legal decisions can be made.

1.8.A motion to vary the order of business:

- 1.8.1. may be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded, and
- 1.8.2. shall be put to the vote without discussion.

1.9. Motions for a meeting that require written notice to be given to the Proper Officer

- 1.9.1. A motion shall relate to the responsibilities of the meeting for which it is tabled and, in any event, shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- 1.9.2. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 1.9.3. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 1.9.2 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 1.9.4. If the Proper Officer considers the wording of a motion received in accordance with standing order 1.9.2 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 10 clear days before the meeting.
- 1.9.5. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 1.9.6. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 1.9.7. Motions received shall be recorded and numbered in the order that they are received.
- 1.9.8. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

1.10. Resolutions Moved Without Notice

The following motions may be moved at a meeting without written notice to the Proper Officer:

- 1.10.1. to correct an inaccuracy in the draft minutes of a meeting;

- 1.10.2. to move to a vote;
- 1.10.3. to defer consideration of a motion;
- 1.10.4. to refer a motion to a particular committee or sub-committee;
- 1.10.5. to appoint a person to preside at a meeting;
- 1.10.6. to change the order of business on the agenda;
- 1.10.7. to proceed to the next business on the agenda;
- 1.10.8. to require a written report;
- 1.10.9. to appoint a committee or sub-committee and their members;
- 1.10.10. to extend the time limits for speaking;
- 1.10.11. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- 1.10.12. to not hear further from a councillor or a member of the public;
- 1.10.13. to exclude a councillor or member of the public for disorderly conduct;
- 1.10.14. to temporarily suspend the meeting;
- 1.10.15. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- 1.10.16. to adjourn the meeting; or
- 1.10.17. to close the meeting.

1.11. Appointments

- 1.11.1. Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting
- 1.11.2. Councillors to be considered for the office of Chair or Vice Chair of the Council should have preferably served a minimum on Council of three consecutive years.
- 1.11.3. **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- 1.11.4. **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

1.12. Rules of Debate

- 1.12.1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- 1.12.2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 1.12.3. A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- 1.12.4. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- 1.12.5. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 1.12.6. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- 1.12.7. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.

- 1.12.8. A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- 1.12.9. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair of the meeting.
- 1.12.10. Subject to standing order 1.12.11 below only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- 1.12.11. One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- 1.12.12. A councillor may not move more than one amendment to an original or substantive motion.
- 1.12.13. The mover of an amendment has no right of reply at the end of debate on it.
- 1.12.14. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- 1.12.15. Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except:
- 1.12.15.1. to speak on an amendment moved by another councillor;
 - 1.12.15.2. to move or speak on another amendment if the motion has been amended since he last spoke;
 - 1.12.15.3. to make a point of order;
 - 1.12.15.4. to give a personal explanation; or
 - 1.12.15.5. to exercise a right of reply.
- 1.12.16. During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- 1.12.17. A point of order shall be decided by the Chair of the meeting and his decision shall be final.
- 1.12.18. When a motion is under debate, no other motion shall be moved except:
- 1.12.18.1. to amend the motion;
 - 1.12.18.2. to proceed to the next business;
 - 1.12.18.3. to adjourn the debate;
 - 1.12.18.4. to put the motion to a vote;
 - 1.12.18.5. to ask a person to be no longer heard or to leave the meeting;
 - 1.12.18.6. to refer a motion to a committee or sub-committee for consideration;
 - 1.12.18.7. to exclude the public and press;
 - 1.12.18.8. to adjourn the meeting; or
 - 1.12.18.9. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- 1.12.19. Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- 1.12.20. Excluding motions moved under standing order 1.12.18 above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the Chair of the meeting

1.13. Rescission of Previous Resolution

- 1.13.1. A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least six members of the Council.
- 1.13.2. When a special resolution has been disposed of, no similar resolution may be moved with a further six months. This Standing Order shall not apply to resolutions moved in pursuance of a report or recommendations of a committee.

1.14. Confidential Business

Councillors, staff, the Council's contractors and agents shall not disclose confidential information (being any business declared to be confidential by the Council, a committee, or a sub-committee as the case may be) or personal data without legal justification.

1.15. Extraordinary Meetings of the Council, Committees and Sub-Committees

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

1.16. Generally

- 1.16.1. **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.**
- 1.16.2. **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**

2. Admission of the Public and Press to Meetings

2.1. Public Access

- 2.1.1. **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.**
- 2.1.2. Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media

2.2. Public right to speak

- 2.2.1. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- 2.2.2. The period of time designated for public participation at a meeting in accordance with standing order 2.2.1 above shall not exceed 20 minutes unless directed by the Chair of the meeting.
- 2.2.3. Subject to standing order 2.2.2 above, a member of the public shall not speak for more than 3 minutes.

- 2.2.4. In accordance with standing order 2.2.1 above, a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
- 2.2.5. Other than provided for in Paras 2.2.1 to 2.2.3 inclusive members of the public have no right of audience other than during the agenda item intended for public participation. The Chair of the Council may with the agreement of the Meeting provide for a person to speak if it is felt that to do so would aid in the discussion and decision making relating to a properly moved motion on the agenda or an amendment thereto.

2.3. Recording/film/photo/video Capture of Council Meetings

- 2.3.1. **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- 2.3.2. **Subject to standing order 2.3.3 below a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- 2.3.3. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

2.4. Conduct at meetings

- 2.4.1. A person shall raise his hand when requesting to speak.
- 2.4.2. A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
- 2.4.3. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- 2.4.4. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct. Improper behaviour includes persons talking amongst themselves or otherwise distracting (or attempting to distract) a councillor during a meeting.
- 2.4.5. If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 2.4.6. If a resolution made under standing order 2.4.5 above is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Conduct

3.1. The Code of Conduct

- 3.1.1. All councillors and any non-councillors with voting rights shall observe the code of conduct adopted by the Council as it applies to Parish Councils and as part of their acceptance of office have agreed to be bound by this Code.
- 3.1.2. Any breach of the Code of Conduct could be referred to the Monitoring Officer at Chorley Council.

3.2. Interests of Councillors and Non-councillors with voting rights

- 3.2.1. 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. When declaring an interest, Councillors should refer to the Code of Conduct which they have agreed to abide by, and guidance supplied with it, as to their further involvement in the meeting

- 3.2.2. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- 3.2.3. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

3.3. Dispensations

- 3.3.1. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- 3.3.2. A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- 3.3.3. A dispensation request shall confirm:
- 3.3.3.1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - 3.3.3.2. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - 3.3.3.3. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - 3.3.3.4. an explanation as to why the dispensation is sought.
- 3.3.4. Subject to standing orders 3.3.1 above and 3.3.3 above, a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required
- 3.3.5. **A dispensation may be granted in accordance with standing order 3.3.1 above if having regard to all relevant circumstances any of the following apply:**
- 3.3.5.1. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - 3.3.5.2. **granting the dispensation is in the interests of persons living in the Council's area; or**
 - 3.3.5.3. **it is otherwise appropriate to grant a dispensation.**

3.4. Code of conduct complaints

- 3.4.1. Upon notification by Chorley Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the councillor's code of conduct, the Proper Officer shall, subject to standing order 6.1 below, report this to the Parish Council.
- 3.4.2. Where the notification in standing order 3.4.1 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of the Parish Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Parish Council has agreed what action, if any, to take in accordance with standing order 3.4.4 below.
- 3.4.3. The Parish Council may:
- 3.4.3.1. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - 3.4.3.2. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- 3.4.4. **Upon notification by Chorley Council that a councillor or non-councillor with voting rights has breached the Councillor's code of conduct, the Parish Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

3.5. Restrictions on Councillor Activities

- No member of the Council or committee/sub-committee shall in the name of, or on behalf of the Council;
- 3.5.1. inspect any lands or premises which the Council has a right or duty to inspect, or
 - 3.5.2. issue orders unless authorised to do so by the Council or the relevant committee/sub-committee.

4. Council Committees

4.1. Appointment of Committees

- 4.1.1. The Council may appoint standing committees or other committees as may be necessary, and:
 - 4.1.1.1. shall determine their terms of reference;
 - 4.1.1.2. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - 4.1.1.3. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - 4.1.1.4. shall, subject to standing orders 4.1.3 below and 4.1.4 below, appoint and determine the terms of office of members of such a committee;
 - 4.1.1.5. may, subject to standing orders 4.1.3 below and 4.1.4 below, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (7) days before the meeting that they are unable to attend;
 - 4.1.1.6. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;
 - 4.1.1.7. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;
 - 4.1.1.8. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - 4.1.1.9. shall determine if the public may participate at a meeting of a committee;
 - 4.1.1.10. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - 4.1.1.11. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - 4.1.1.12. may dissolve a committee or a sub-committee.
- 4.1.2. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- 4.1.3. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- 4.1.4. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

5. Finance

5.1. Responsible Financial Officer

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

5.2. Accounts and Accounting Statements

- 5.2.1. "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- 5.2.2. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

- 5.2.3. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
- 5.2.3.1. the Council's receipts and payments (or income and expenditure) for each quarter;
 - 5.2.3.2. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - 5.2.3.3. the balances held at the end of the quarter being reported and
 - 5.2.3.4. which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 5.2.4. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- 5.2.4.1. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - 5.2.4.2. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- 5.2.5. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

5.3. Financial Controls and Procurement

- 5.3.1. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- 5.3.1.1. the keeping of accounting records and systems of internal controls;
 - 5.3.1.2. the assessment and management of financial risks faced by the Council;
 - 5.3.1.3. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - 5.3.1.4. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - 5.3.1.5. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- 5.3.2. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- 5.3.3. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- 5.3.4. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- 5.3.4.1. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - 5.3.4.2. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - 5.3.4.3. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;

- 5.3.4.4. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
- 5.3.4.5. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
- 5.3.4.6. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- 5.3.5. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- 5.3.6. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- 5.3.7. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

6. Information Management

6.1. Record Keeping

- 6.1.1. The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- 6.1.2. The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- 6.1.3. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- 6.1.4. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

6.2. Minutes of meetings

- 6.2.1. The minutes of a meeting shall include an accurate record of the following:
 - 6.2.1.1. the time and place of the meeting;
 - 6.2.1.2. the names of councillors who are present and the names of councillors who are absent;
 - 6.2.1.3. interests that have been declared by councillors and non-councillors with voting rights;
 - 6.2.1.4. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - 6.2.1.5. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - 6.2.1.6. if there was a public participation session; and
 - 6.2.1.7. the resolutions made.

- 6.2.2. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- 6.2.3. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- 6.2.4. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 6.2.5. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
“The Chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- 6.2.6. Subject to the publication of draft minutes in accordance standing order 6.3 below and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

6.3. Publication of Information

- 6.3.1. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- 6.3.2. **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

6.4. Data Protection

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

7. Staffing Matters

7.1. Personnel Committee

- 7.1.1. A matter personal to a member of staff that is being considered by a meeting of the Council OR the Personnel committee is subject to standing order 6.1 above.
- 7.1.2. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chair of the Personnel committee or, if he is not available, the vice-Chair (if there is one) of the Personnel committee of absence occasioned by illness or other reason and that person shall report such absence to the Personnel committee at its next meeting.
- 7.1.3. The Chair of the Personnel committee or in his absence, the vice-Chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Personnel committee.
- 7.1.4. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chair of the

Personnel committee or in his absence, the vice-Chair of the Personnel committee] in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel committee.

- 7.1.5. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the Chair or vice-Chair of the Personnel committee OR this shall be communicated to another member of the Personnel committee] which shall be reported back and progressed by resolution of the Personnel committee.

7.2. Access to staff records

- 7.2.1. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- 7.2.2. In accordance with standing order 6.1.1 above, persons with line management responsibilities shall have access to staff records referred to in standing order 7.2.1 above.

8. Sealing of Documents

- 8.1.1. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- 8.1.2. **Subject to standing order 8.1.1 above any two members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.**

9. Standing Orders Generally

- 9.1.1. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- 9.1.2. A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least (6) councillors to be given to the Proper Officer in accordance with standing order 1.9 above.
- 9.1.3. A printed copy of these Standing Orders shall be given to each member by the Clerk, upon delivery of the member's declaration of acceptance of office.
- 9.1.4. The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

Fault reports and progress

Item 10

Date	Auth'ty	STATUS	Location	Problem	Initial Actions	Further Actions/Follow up/chase	Made Report or Copied to
16/03/2018 19/4/18	LCC		Path left unsafe after NR works, dug up sides not reinstated	PROW 18 from Village Croft to Oak Avenue	Acknowledged	Reported again 19/4/18	
12/06/2018	LCC		Centre road line to prevent try to prevent oncoming collision	Blind corner Cotwold Ave at Chiltern junction	340879	Resurfacing work done now, awaiting painting - but doubt this will be done	BC DP,
02/10/2018	BT Bus		Red Telephone box in need of clean and paint	Corner of Balshaw Lane and Talbot Drive	LC2FHY92 BT	Engineer visited 4/10	
04/12/2018			Broken kerb stones, tripping hazard	Milestone Mdw	W367398		
19/12/2018	CBC		Bus stop very rusty and falling apart a bit, paint peeled off	Southport Road, south side, nearest to Yarrow Valley	CAS-581119-ZBM5X5	Job programmed for no later than 24/1/19. Discussed whether it was repairable and will be assessing	
19/12/2018	LCC		Flooding on Chorley bound carriageway during/after heavy rainfall.	Euxton Lane	W370152		MW
19/12/2018	LCC		Road markings for the zebra crossing, lines are flaky and a bit worn and accidents are happening - could signage also be checked to be adequate	Zebra Crossing, A49 Wigan Road, near to Millennium Green entrance	W370179		DP
20/12/2018	LCC		The entrance section here is breaking up, has holes in it, uneven and worn and needs a large patch repair	Entrance to Dunrobin Drive estate, at A49 Wigan Road section	W370350		DP
27/12/2018	LCC		Lamp posts leaning badly	Walk way over Wigan Road from Church Walk to Chapel Brook	W371195		DP
27/12/2018	LCC		Row of potholes on left side at roundabout junction	Southport Rd with roundabout	W371153		
27/12/2018	LCC		Pothole on roundabout	Central Avenue roundabout at Buckshaw Hall	W371186		DP
27/12/2018	LCC		Lampost broken/door dropped off	Wigan Road, next to roundabout with Balshaw Lane	W371190		
18/12/2019	CBC		Bus shelter leaking from light above	Wigan Road, near to Bay Horse pub	CAS-583237-MCXT7Q	Referred to Adshel	
31/12/2019	LCC		Lampost out	Greenside (south)	W371789		
31/12/2019	LCC		Pothole in Road	Greenside (south)	W371791		
08/01/2019	LCC		Flooding exactly where the children cross the road	Bredon Ave junction with Cotwold Ave	W373388	Noticed the grid sucker on 16/1/19 but this will not solve problem. Reported again 13/2	DP
15/01/2019	LCC		Damaged barriers to the brook	Whinney Lane	W374622 W382100		MB
13/02/2019	LCC		Blocked grid	Corner of Grassmere/Balshaw Ln	W382098		