

## **IDMISTON PARISH COUNCIL**

### **STANDING ORDERS**

#### **Foreward**

1. Standing orders are the written rules of a local council. They are used to confirm a council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the policies of a council but they may refer to them. A local council must have standing orders for the procurement of contracts.
2. Meetings of full council, councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. A council should have standing orders to confirm those statutory requirements. A council should have standing orders to control the number, place, quorum, notices and other procedures for committee and sub-committee meetings because these are subject to fewer statutory requirements. If it does not, committees and sub-committees may adopt their own standing orders.
3. Model standing orders in blue type contain statutory requirements. It is recommended that councils adopt them without changing them. Other model standing orders not in blue are designed to help councils operate effectively but do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. For convenience, the word "councillor" is used in model standing orders and includes a non-councillor with or without voting rights unless otherwise stated.
4. A model standing order that includes brackets like this '( )' requires information to be inserted by a council. A model standing order that includes the term 'OR' provides alternative options for a council to choose from when determining standing orders.
5. The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the Responsible Financial Officer.
6. Model financial regulations are available to councils in membership of the National Association of Local Councils (NALC) or One Voice Wales (OVW).

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1. **Rules of Debate at Meetings**

- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c. A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f. If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h. A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j. Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k. One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l. A councillor may not move more than one amendment to an original or substantive motion.
- m. The mover of an amendment has no right of reply at the end of debate on it.
- n. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of

debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

o. Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except to:

- i. Speak on an amendment moved by another councillor;
- ii. Move or speak on another amendment if the motion has been amended since he last spoke;
- iii. Make a point of order;
- iv. Give a personal explanation; or
- v. Exercise of a right of reply.

p. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

q. A point of order shall be decided by the chairman of the meeting and his decision shall be final.

r. When a motion is under debate, no other motion shall be moved except to:

- i. Amend the motion.
- ii. Proceed to the next business.
- iii. Adjourn the debate.
- iv. Put the motion to a vote.
- v. Ask a person to be no longer heard or to leave the meeting.
- vi. Refer a motion to a committee or sub-committee for consideration.
- vii. Exclude the public and press.
- viii. Adjourn the meeting or
- ix. Suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

s. Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

t. Excluding motions moved understanding order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (3) minutes without the consent of the chairman of the meeting.

## 2. Disorderly Conduct at Meetings

a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.

b. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c. If a resolution made under standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 3. Meetings Generally

 = Full Council meetings

 = Committee meetings

 = Sub-Committee meetings

 a. Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.



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



c. The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.



d. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.

e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

f. The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed (3) minutes unless directed by the chairman of the meeting.

g. Subject to standing order 3(f) above, a member of the public shall not speak for more than (3) minutes.

h. In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

i. A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The chairman of the meeting may at any time permit a person to be seated when speaking.

j. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.

k. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.



l. Subject to paragraph 3m, 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 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.



m. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.



n. 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.



o. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).

p. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.



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



r. The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

*See standing orders 5(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.*



s. Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and

voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

t. The minutes of a meeting shall include an accurate record of the following:

- i. The time and place of the meeting;
- ii. The names of councillors present and absent;
- iii. Interests that have been declared by councillors and non-councillors with voting rights;
- iv. Whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- v. The timings of any part-time participation of a councillor (i.e. late arrival early departure);
- vi. If there was a public participation session; and
- vii. The resolutions made.



u. 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.



v. No business may be transacted at a meeting unless at least one-third, of the whole number of members of the council (5 councillors), are present. *See standing order 4d(viii) below for the quorum of a committee or subcommittee meeting.*



u. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

v. A meeting shall not exceed a period of (2) hours, unless all those councillors present at that limit unanimously agree for continuance.

#### **4. Committees and Sub-committees**

- a. Unless the council determines otherwise a committee may appoint a subcommittee whose terms of reference and members shall be determined by the committee.
- b. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.
- c. Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- d. The council may appoint standing committees or other committees as may be necessary, and:
  - i. Shall determine their terms of reference;
  - ii. Shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
  - iii. Shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. Shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - v. May, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer (3) days before the meeting that they are unable to attend;
  - vi. Shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. Shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. Shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;

- ix. Shall determine if the public may participate at a meeting of a committee;
- x. 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;
- xi. Shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. May dissolve a committee.

## **5. Ordinary Council Meetings**

- a. In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b. In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.
- c. If no other time is fixed, the annual meeting of the council shall take place at 6pm.
- d. In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- e. The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) of the council.
- f. 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.
- g. The Vice Chairman of the council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the council at the next annual meeting of the council.
- h. In an election year, if the current Chairman of the council has not been re-elected as a member of the council, he shall preside at the meeting until a successor Chairman of the council has been elected. The current Chairman of the council shall not have an original vote in respect of the election of the new Chairman of the council but must give a casting vote in the case of an equality of votes.
- i. In an election year, if the current Chairman of the council has been re-elected as a member of the council, he shall preside at the meeting until a new Chairman of the council has been elected. He may exercise an original

vote in respect of the election of the new Chairman of the council and must give a casting vote in the case of an equality of votes.

j. Following the election of the Chairman of the council and Vice-Chairman (if any) of the council at the annual meeting of the council, the business of the annual meeting shall include:

- i. In an election year, delivery by the Chairman of the council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the council of his acceptance of office form unless the council resolves for this to be done at a later date;
- ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
- iii. Receipt of the minutes of the last meeting of a committee;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4 above;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
- xiii. Review of inventory of land and assets including buildings and office equipment;

- xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
- xv. Review of the council's and/or staff subscriptions to other bodies;
- xvi. Review of the council's complaints procedure;
- xvii. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- xviii. Review of the council's policy for dealing with the press/media;
- xix. Review of the council's employment policies and procedures.
- xx. Review of the council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

## **6. Extraordinary Meetings of the Council, Committees and Sub-Committees**

- a. The Chairman of the council may convene an extraordinary meeting of the council at any time.
- b. If the Chairman of the council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.
- c. The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d. If the chairman of a committee [or a sub-committee] does not, or refuses to, call an extraordinary meeting within (3) days of having been requested by to do so by (4) members of the committee [or the sub-committee], any (4) members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

## **7. Previous Resolutions**

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least (4) councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a

motion moved in pursuance of the recommendation of a committee or a sub-committee.

b. When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

## **8. Voting on Appointments**

a. Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

## **9. Motions for a Meeting that Require Written Notice to be Given to the Proper Officer**

a. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.

b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (3) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.

d. If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least (3) clear days before the meeting.

e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

f. Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

- g. Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h. Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

#### **10. Motions at a Meeting that do not Require Written Notice**

- a. The following motions may be moved at a meeting without written notice to the Proper Officer;
  - i. To correct an inaccuracy in the draft minutes of a meeting;
  - ii. To move to a vote;
  - iii. To defer consideration of a motion;
  - iv. To refer a motion to a particular committee or sub-committee;
  - v. To appoint a person to preside at a meeting;
  - vi. To change the order of business on the agenda;
  - vii. To proceed to the next business on the agenda;
  - viii. To require a written report;
  - ix. To appoint a committee or sub-committee and their members;
  - x. To extend the time limits for speaking;
  - xi. To exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
  - xii. To not hear further from a councillor or a member of the public;
  - xiii. To exclude a councillor or member of the public for disorderly conduct;
  - xiv. To temporarily suspend the meeting;
  - xv. To suspend a particular standing order (unless it reflects mandatory statutory requirements);
  - xvi. To adjourn the meeting; or
  - xvii. To close a meeting.

#### **11. Handling Confidential or Sensitive Information**

- a. 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.
- b. 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 (eg. the Limitation Act 1980).
- c. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- d. Councillors, staff, the council's contractors and agents shall not disclose confidential or personal data without legal justification.

## **12. Draft minutes**

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:  
"The chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e. If the council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website

which is publicly accessible and free of charge not later than one month after the meeting has taken place.

f. Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

### **13. Code of Conduct and Dispensation**

*See also standing order 3(t) above.*

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

b. 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.

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

d. Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

e. A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.

f. A dispensation request shall confirm:

i. The description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

ii. Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;

iii. The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and

iv. An explanation as to why the dispensation is sought.

g. Subject to standing orders 13(d) and (f) above, dispensations requests 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] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].

h. A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:

i. Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or

ii. Granting the dispensation is in the interests of persons living in the council's area or

iii. It is otherwise appropriate to grant a dispensation.

#### **14. Code of Conduct Complaints**

a. Upon notification by the District or Unitary Council OR County Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the council.

b. Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 14(d) below.

c. The council may:

i. Provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;

ii. Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

d. Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

#### **15. Proper Officer**

- a. 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.
- b. The Proper Officer shall:
  - i. At least three clear days before a meeting of the council, a committee and a subcommittee serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer. *See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.*
  - ii. Give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a subcommittee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them); *See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.*
  - iii. Subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least (3) days before the meeting confirming his withdrawal of it;
  - iv. Convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
  - v. Facilitate inspection of the minute book by local government electors;
  - vi. Receive and retain copies of byelaws made by other local authorities;
  - vii. Retain acceptance of office forms from councillors;
  - viii. Retain a copy of every councillor's register of interests;
  - ix. Assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
  - x. [Liaise, as appropriate, with the council's Data Protection Officer.](#)

xi. Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;

xii. 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 legal requirements (eg. the Limitation Act 1980).

xiii. Arrange for legal deeds to be executed;  
*See also standing order 22 below.*

xiv. Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations.

xv. Record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose.

xvi. Refer a planning application received by the council to the Chairman or in his absence Vice-Chairman (if any) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee;

xvii. Manage access to information about the council via the publication scheme; and

xviii. Retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.  
*See also standing order 22 below.*

## **16. Responsible Financial Officer**

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

## **17. Accounts and Accounting Statements**

a. "Proper practices" in standing orders refer to the most recent version of 'Governance and Accountability for Local Councils – a Practitioners' Guide'

b. All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

- c. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise the:
- i. Council's receipts and payments for each quarter.
  - ii. Council's aggregate receipts and payments for the year to date.
  - iii. Balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d. As soon as possible after the Financial Year end at 31 March, the Responsible Financial Officer shall provide:
- i. Each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
  - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e. The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

## **18. Financial Controls and Procurement**

- a. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. The keeping of accounting records and systems of internal controls;
  - ii. The assessment and management of financial risks faced by the council;
  - iii. The work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually.

- iv. The inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - v. Whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
  - vi. Procurement policies (subject to paragraph 18(d) below) including the setting of values for different procedures where a contract has an estimated value of less than [£60,000].
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. 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 paragraph 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.
- d. Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£60,000] shall be procured on the basis of a formal tender as summarised in paragraph 18(e) below.
- e. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. A specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. An invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. The invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. Tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

- v. Tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
- vi. Tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- f. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- g. 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 the OJEU.
- h. 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 the OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

## **19. Handling Staff Matters**

- a. A matter personal to a member of staff that is being considered by a meeting of council OR any of its committees or their sub-committees is subject to standing order 11 above.
- b. The council will agree to one or more councillors taking HR responsibility as 'HR representatives'. Failing this responsibility being agreed, the chair and vice-chair of the council will assume this responsibility.
- c. Subject to the council's policy regarding absences from work, the Clerk shall notify the chair and vice-chair of the council and HR representative(s) of absence occasioned by illness or other reason.
- d. The chairman of the Staffing Committee or, in his/her absence, the vice-chairman shall upon resolution conduct a review of the performance and annual appraisal of the work of the Parish Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Staffing Committee.

e. Subject to the council's policy regarding the handling of grievance matters, the council's most senior member of staff shall contact the chairman of the Staffing Committee or, in his/her absence, the vice-chairman of the Staffing Committee in respect of an informal or formal grievance matter and this matter shall be reported back and progressed by resolution of the Staffing Committee.

f. The HR representative(s) of the council 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 is subject to approval by resolution by the council.

g. Subject to the council's policy regarding the handling of grievance matters, the clerk shall contact the HR representative(s) in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the council.

h. 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 chairman or vice-chairman of the council, this shall be communicated to another member of the council, which shall be reported back and progressed by resolution of the council.

i. Persons with HR responsibility shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

j. The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.

k. Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(f) and (g) above if so justified.

l. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to the councillors with HR responsibility and the Chairman of the Council.

## **20. Requests for Information**

a. 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.

- b. Although the council's gross annual income or expenditure (whichever is higher) exceeds £25,000 the council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.
- c. Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- d. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the ( ) committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## **21. Responsibilities Under Data Protection Legislation**

The responsibilities of the council under Data Protection legislation are as follows:

- a. The council may appoint a Data Protection Officer.
- b. The council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her personal data.
- c. The council shall have a written policy in place for responding to and managing a personal data breach.
- d. 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.
- e. 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.
- f. The council shall maintain a written record of its processing activities.

## **22. Relations with the Press/Media**

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

## **23. Execution and Sealing of Legal Deeds**

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

a. A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

b. Subject to standing order 22(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

*The above is applicable to a council without a common seal.*

#### **24. Communicating with District and County or Unitary councillors**

a. An invitation to attend a meeting of the council shall be sent, together with the agenda, to the Unitary Council representing the area of the council.

b. Unless the council determines otherwise, a copy of each letter sent to the Unitary Council shall be sent to the ward councillor(s) representing the area of the council.

#### **25. Restrictions on Councillor Activities**

a. Unless authorised by a resolution, no councillor shall:

i. Inspect any land and/or premises which the council has a right or duty to inspect; or

ii. Issue orders, instructions or directions.

#### **26. Standing Orders Generally**

a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least (4) councillors to be given to the Proper Officer in accordance with standing order 9 above.

c. The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.

d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

**ANNEX A to  
IPC Standing Orders**

**TERMS OF REFERENCE FOR THE PLANNING COMMITTEE**

**Responsibilities**

1. The Planning Committee is the decision-making body working on behalf of Idmiston Parish Council and responsible to the full Idmiston Parish Council for:
  - a. Considering and responding to planning applications submitted to the IPC. Appendix 1 to Annex A to IPC Standing Orders provides a checklist to assist councillors in reaching a decision that is compliant with the IPC Neighbourhood Plan. [SEP]
  - b. Striving to ensure that within the IPC's area of responsibility, quality of life is maintained by proposed developments and that the local environment is not adversely affected. [SEP]
  - c. Ensuring that approval is only given to planning applications that are fully compliant with the IPC Neighbourhood Plan, where applicable.
  - d. Ensuring that planning procedures followed by the IPC are legal and proper.

[SEP]

**Objectives**

2. The objectives are:
  - a. To conduct the review and response procedures to planning applications within deadlines established by the Planning Authority. [SEP]
  - b. To attend Local Planning Authority Committee meetings as the IPC's representative on behalf of the IPC and to communicate the IPC's views and opinions.

**Delegation**

3. The Planning Committee has the delegated responsibility, granted by full IPC, to consider and act upon all planning application related matters on behalf of the IPC.

{L}  
{SEP}

4. The Planning Committee is empowered by the IPC to deal directly with all relevant bodies at Local Planning Authority and Regional levels when the deadlines imposed indicate that this business cannot be conducted in time using normal IPC proceedings.

{L}  
{SEP}

5. Correspondence shall be carried out only by the Planning Committee Chairman, his deputy at the time or the Parish Clerk.

### **Procedure**

6. The Planning Committee must: {L}  
{SEP}

a. Refer to the full IPC all issues that are considered of greater importance to the Parish, in order that the IPC's response may be debated and agreed by all its councillors. {L}  
{SEP}

b. Deal with any planning related matters referred to the Planning Committee by the full IPC.

c. Create a written, evidence driven justification for any decision that is not compliant with the Neighbourhood Plan and have this ratified by majority vote.

d. Maintain an electronic case log (spreadsheet) of all planning applications and the subsequent Planning Committee business associated with each application. {L}  
{SEP}

e. Prepare communications as a result of decisions made by the Planning Committee. {L}  
{SEP}

f. Email the meeting minutes, updated case log and planning communications to the Parish Clerk, copying full IPC.

### **Full IPC**

7. The full IPC will have 2 working days to query or launch an objection into any Planning Committee decision:

[L]  
[SEP]

- a. Queries to be directed to the Planning Committee Chair.
- b. Objections to a Planning Committee decision to be sent via email to the Parish Clerk and copying full IPC. Any objection must be substantiated with material facts or considerations believed to be enough to affect a different decision/outcome.
- c. If a planning application decision is not in line with the stated intentions of the IPC Neighbourhood Plan and there is no written justification from the Planning Committee, or the accompanying justification is considered to be inadequate to support the decision to go against the stated intentions of the Neighbourhood Plan.

### **Parish Clerk**

8. If no objection is received within the 2 working day review period, the Parish Clerk will execute the planning communications on behalf of the full IPC. [L]  
[SEP]
9. If any objection is received, the planning application will be deferred to the next IPC meeting and the Parish Clerk will request more time from the planning department (if required). [L]  
[SEP]
10. Copies of the final despatch document are to be copied (email cc'd) to the Council members.

### **Membership**

11. Membership numbers are not limited but are subject to a minimum of four serving IPC Councillors. A quorum for Planning Committee meetings shall be four. [L]  
[SEP]
12. The Planning Committee shall comprise a core of six councillors. This shall include a Chairman, who has the casting vote, and a Vice Chairman. The remaining four councillors will commit to attend every Planning Committee Meeting or nominate a delegate in their absence.
13. Any IPC councillor may join the committee for any planning meeting but, as a matter of courtesy and room setting, they are to advise the Chairman and Vice Chairman of their attendance in advance.
14. Membership of the Planning Committee shall be reviewed and voted on annually at the Annual Meeting of [L]  
[SEP] the IPC. [L]  
[SEP]

### **Planning Committee Meetings**

15. At the first meeting of the Planning Committee following the Annual Meeting of the IPC, the Planning Committee will elect the Chairman and Vice Chairman before any other business is conducted.

16. Meetings of the Planning Committee shall be held at such times as to enable the requirements of the planning process to be met. The Planning Committee should meet on the first Monday of the month (or Tuesday if Monday is a public holiday) twelve times a year if there are more than two planning applications to be discussed at each meeting. Otherwise the planning applications shall be incorporated into the next IPC meeting on the following Monday (in April and August they will need to meet anyway as there is no IPC meeting).

<sup>[L]</sup>  
<sub>[SEP]</sub>

17. The Standing Orders referring to the conduct of IPC meetings are to be observed.

18. Details of planning applications shall be circulated with the agenda by email to all Planning <sup>[L]</sup><sub>[SEP]</sub> Committee members by the Parish Clerk who will also check the availability of the venue.

<sup>[L]</sup>  
<sub>[SEP]</sub>

19. All Planning Committee meetings are open to the public. The time, date and venue of such meetings are, therefore, to be published in the same manner as public notice of the IPC meetings is given.

20. The Planning Committee allows members of the public to address the Planning Committee meeting about planning applications and other items on the agenda. Members of the public may speak for 3 minutes and only before the Planning Committee has begun its own deliberations. However, if required, the committee members may seek clarification of the proposals from the public within the debate. <sup>[L]</sup><sub>[SEP]</sub>

21. The Planning Committee has an obligation to consider all comments made about planning applications from all third parties whether they are provided prior to, or during, the meeting. <sup>[L]</sup><sub>[SEP]</sub>

22. Minutes of each meeting, as well as the case log recording the Planning Committee's resolution to each planning application, are to be maintained.

<sup>[L]</sup>  
<sub>[SEP]</sub>

### **Outside The Planning Committee Meetings** <sup>[L]</sup><sub>[SEP]</sub>

23. Individual Planning Committee members may attend external liaison and planning business meetings only with direct pre-authorisation from the full IPC and must report back to them by email.

<sup>[L]</sup>  
<sub>[SEP]</sub>

24. The Planning Committee will not offer pre-application comment except in cases determined and authorised by the IPC. <sup>[L]</sup><sub>[SEP]</sub>

25. Where an application is subject to an appeal, the Planning Committee is authorised to make written representation or to elect a member or members of the Planning Committee to attend the hearing or inquiry to present the IPC's views to the Planning Inspector.

26. The Planning Committee may nominate a representative from the Planning Committee or the Clerk (if appropriate) to attend the Planning Authority's

Development Control and other meetings to represent the Parish Council's views in respect of planning applications and other planning matters.

APPENDIX 1 to  
ANNEX A to  
IPC Standing Orders

**CHECKLIST FOR DETERMINING PLANNING APPLICATIONS**

Introduction

1. This checklist has been produced to assist councillors in determining whether a planning application should be recommended for approval or otherwise. Its contents have been extracted from the relevant passages within the Idmiston Parish Council Neighbourhood Plan (abbreviated to IPC NP).

## Decisions

2. Decisions around proposed development that accords with the current Development Plan (in this case the Idmiston Parish Council Neighbourhood Plan and the Wiltshire Core Strategy) should be approved whereas proposed development that conflict should be refused unless other material considerations indicate otherwise (source: National Planning Policy Framework paragraph 12 and Wiltshire Council, Councillor Induction Training 2017).

3. The decision reached by the IPC Planning Committee will comply with one of the following:

- a. **Support:** Support the application because it will benefit the parish either now or in the long term.
- b. **Support Subject to Conditions:** Support the application but set out and record the details of the proposed development to be reconsidered and changed.
- c. **No Comment:** Take no action since the application's overall effect would be neutral or of little relevance to the parish.
- d. **No Objection:** Register an objection to the application but suggest action that could be taken to address the objection such as amending the proposal, attaching planning conditions or a planning obligation.
- e. **Object:** Recommend that the application be refused permission because its adverse effects (to be set out and recorded) cannot be dealt with satisfactorily by using conditions or obligations.

## Considerations

4. Comment can only be made on "material considerations" that affect the application, these include:

- a. Government or Planning Policy Guidance and Statements.
- b. History, eg. previous decisions, particularly appeals.
- c. Comments from consultees.

- d. Amenity eg. privacy, sunlight, daylight, noise and smell.
- e. Highway safety.
- f. Nature, archaeology conservation and landscape.
- g. Impact upon adjacent land use.
- h. Design.
- i. Human Rights Act.

5. Matters that are not material or relevant to the application will not be considered as these are outside the boundaries of the planning process and are regarded more as civil matters between parties. These include:

- a. Loss of value.
- b. Loss of view.
- c. Viability, including matters such as party walls and structures.
- d. Private rights (access).
- e. A change from a previous scheme.
- f. Moral issues.
- g. Restrictive covenants.
- h. Land ownership.
- i. Competition.
- j. The development has already taken place prior to application submission.

### **Relevant IPC Neighbourhood Plan Policies**

#### **IPC NP Policy 1 - Village Separation**

6. For the villages to remain as recognisably separate places, with their own identities, it is critical that these physical and visual breaks between our settlements are retained. Consequently, any development which prejudices the continued separation of our existing villages from each other and from those in neighbouring parishes, will not be supported.

#### **IPC NP Policy 2 - Avoiding Flood Risk**

7. To secure the conservation of our important riverside landscape and reduce exposure to flooding. Further built development, unrelated to agriculture, on the water meadows and woodland adjoining the River Bourne should be avoided.

### **IPC NP Policy 3 - Future Developments**

8. Any future development on, or close to, the periphery of the villages should have regard for the need to minimise the visual impact of new development on the village edges. Field edge hedgerows and trees should be retained, and, where necessary, incorporate screen planting to soften the built form.

### **IPC NP Policy 4 - Maintaining the Rural Feel**

9. To secure the rural feel of our environment all new development proposals will be required to incorporate a landscaping scheme, which provides for the planting of appropriate trees and shrubs, both as a boundary treatment and as an integral design component in the layout of the site.

### **IPC NP Policy 5 - Protect Character and Heritage**

10. To retain our rural vistas and preserve the integrity of the villages as largely hidden rural settlements. Any future development of potential sites should be located and designed in a way that precludes building on the skyline, when seen from within the villages.

### **IPC NP Policy 6 - Maintaining Historical Legacy**

11. New developments within the historic parts of Idmiston, the Porton Conservation Area and the areas immediately adjoining should reflect the appearance and character of the area as identified in the Idmiston, Porton and Gomeldon Village Design Statement and comply with any relevant National or Local Planning Policy.

### **IPC NP Policy 7 - Maintaining and Enhancing Character**

12. All new housing developments and extensions to existing houses should be designed to be locally distinctive so that they reflect and enhance the character of the village as identified in the Idmiston, Porton and Gomeldon Village Design Statement.

### **IPC NP Policy 9 - Traffic and Transport**

13. The village centre infrastructure is no longer capable of managing the current levels of parking, traffic volume and increasing demand for leisure and support facilities. All new development proposals should provide information, appropriate to the scale of development, in the form of a Transport Statement and where necessary a Travel Plan, which demonstrates how any additional traffic generated by the

proposal will be managed in terms of congestion, parking and highway safety. It should also include, where possible, details of improved facilities for pedestrians and cyclists.

### **IPC NP Policy 15 - Housing Needs**

14. The Parish Council is committed to ensuring that sufficient Affordable Housing is available to meet the needs of those who live in the parish or the locality of Idmiston. Core Policy 44 of the Wiltshire Core Strategy allows the development of “rural exception” sites and Core Policy 46 of the Wiltshire Core Strategy supports the provision of housing for older people as an exception. Small schemes for affordable and elderly persons accommodation which come forward in compliance with this policy will be supported subject to other policies within the plan. All other proposals for residential development will be expected to comply with Core Policy 43 of the Wiltshire Core Strategy.

### **IPC NP Policy 16 - New Builds on Old Plots**

15. Any development using the gardens and grounds of older properties in the villages will need to:

a. Avoid compromising the setting of the existing dwelling/house and the contribution of both house and garden to the character and appearance of the villages.

{L}  
{SEP}

b. Conserve the green aspect of the area by the retention of as many viable trees and hedgerows as is practicable, including any original cob and brick and/or flint boundary walls.

{L}  
{SEP}

c. Demonstrate how the proposed scheme will positively enhance the appearance and character of the villages and their Conservation Areas where these exist.

### **IPC NP Policy 17 - Development Criteria**

16. Any developments in villages will need to meet all of the following criteria:

{L}  
{SEP}

a. Be well related to the existing village envelope.

{L}  
{SEP}

b. Be of modest scale and not generally exceed ten dwellings in order to protect the rural nature of the village.

c. Reflect the character and variety of the existing pattern of development in the village.

{L}  
{SEP}

d. Follow the lines of the contours on sloping sites to ensure a better fit with the existing land form.

### **IPC NP Policy 18 - Preventing Overcrowding**

17. To ensure sufficient private amenity space remains available, proposals that involve increasing the footprint of a dwelling should have regard to the adequacy of the size of the plot and the general character of the area.

### **IPC NP Policy 19 - New Development Sites**

18. The IPC Neighbourhood Plan will facilitate the delivery of approximately 32 homes across the plan period. The delivery of new homes will be monitored, in the event that the development of new homes through existing commitments or proposals will not achieve the figure of approximately 32 dwellings, consideration will then be given for the development of the sites shown in Figure 1 of the plan. Subject to other policies in this plan new residential development proposals will be supported to achieve the housing requirement where they deliver infill development or at the large village of Porton small scale development of no more than 11 homes within and immediately adjacent to the settlement boundary of Porton as established in the Core Strategy. Residential development elsewhere in the plan area will be resisted.

### **IPC NP Policy 20 - Minimising Impact on Surrounding Countryside**

19. To minimise their impact on the surrounding countryside, where possible, new agricultural buildings should:

- a. Avoid elevated and exposed locations.
- b. Be sited in close proximity to those of a similar construction to form a coherent group.
- c. If freestanding, utilise the land form and screen planting.
- d. An appropriate colour finish to help reduce their visual impact.

### **IPC NP Policy 21 - Porton Down Developments**

20. To reduce their impact on the landscape, stand alone developments related to the scientific research establishments and their associated companies at Porton Down should where possible:

- a. Avoid elevated and exposed locations.
- b. Utilise the land form and screen planting.
- c. Use colour finishes and, where necessary, undertake appropriate earthworks to soften their appearance.
- d. Minimise environmental impact.



**ANNEX B to  
IPC Standing Orders**

**POLICY AND PROCEDURE FOR CO-OPTING A NEW COUNCILLOR**

**Co-option Policy**

1. The Co-Option Policy was adopted by Idmiston Parish Council at its meeting held on **TBA**. This procedure is based on NALC Legal Briefing L15-08 – Good Practice for Selection of Candidates for Co-option to Local Councils.
2. Community councils are permitted to exercise the power to co-opt a person on to the council to fill a casual vacancy when the requirements to hold an election have not been met (i.e. the vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by a deadline date specified by the District Returning Officer).
3. Although seeking “expressions of interest” is not a legal requirement, the National Association of Local Councils (NALC) recommends that councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.
4. Whenever the need for co-option arises, Idmiston Parish Council will consider advertising the vacancy to seek and encourage “expressions of interest” by a specified date from anyone living or working in the Parish of Idmiston who is eligible to stand as a parish councillor. All potential candidates will be requested to put their request for consideration by completing an application form (See Appendix 2).
5. Please note it is a condition of a councillor that a means of contact by telephone and email will be public information. A council email address will be provided.
6. At the next parish council meeting:
  - a. Clerk to confirm that each candidate is qualified to become a councillor and is not disqualified from being a councillor as set out in the Local Government Act 1972 s79 and s80.
  - b. Chairman to offer opportunity for debate on the order of priority to offer co-option.
  - c. Vote on the acceptability of each candidate for co-option, utilising the “person specification” criteria set out at Appendix 1 and any personal statements requested from and provided by the candidates. An absolute

majority vote is required for each candidate from all members present and entitled to vote (LGA 1972 Schedule 12 Paragraph 39). The applicant with the least number of votes casted will be deleted and the vote repeated until the number of candidates equals the number of vacancies.

d. Vote to select the order in which acceptable candidates, decided by the vote at sub paragraph 6c. above, should be approached to offer co-option on this occasion.

e. The Parish Clerk to approach and offer co-option to candidate(s) after the meeting in the order of priority determined by the vote at 6c. above, if the first choice does not accept the post then the second is to be approached and so on until the ranking list is exhausted.

7. The Clerk to notify Electoral Services of the new councillor appointment, initiate "acceptance of office" paperwork and "registration of interests" on the Idmiston Parish Council website.

8. Assuming that the co-option position is filled and all paperwork completed, formally ratify the appointment at the next Idmiston Parish Council meeting. If no one accepts the vacant post(s), the whole process is to be repeated when new individuals expressing interest are identified.

**APPENDIX 1 to  
ANNEX B to  
IPC Standing Orders**

**CO-OPTED COUNCILLOR PERSONAL SPECIFICATION**

**Essential/Desirable Competencies**

1. Personal Attributes:
  - a. Sound knowledge and understanding of local affairs and the local community.
  - b. Forward thinking
  - c. Can bring a new skill, expertise or key local knowledge to the council.
2. Experience, Skills, Knowledge and Ability:
  - a. Ability to listen constructively.
  - b. A good team player.
  - c. Ability to pick up and run with a variety of projects.
  - d. Solid interest in local matters.
  - e. Ability and willingness to represent the council and their community.
  - f. Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions.
  - g. Ability to communicate succinctly and clearly.
  - h. Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff.
  - i. Ability and willingness to work with the council's partners (e.g. voluntary groups, other councils, principal authority, charities).
  - j. Ability and willingness to undertake induction training and other relevant training.
  - k. Experience of working or being a member in a local authority or other public body.

- l. Experience of working with voluntary and or local community/interest groups.
  - m. Basic knowledge of legal issues relating to town and parish councils or local authorities.
  - n. Experience of delivering presentations.
- 3. Circumstances:
  - a. Ability and willingness to attend meetings of the parish council or meetings of other local authorities and local bodies at any time and events in the evening and at weekends.

**APPENDIX 2 to  
ANNEX B to  
IPC Standing Orders**

**APPLICATION FORM FOR THE ROLE OF COUNCILLOR**

Send or Email to:  
Parish Clerk,  
Idmiston Parish Council,  
Idmiston Village Memorial Hall,  
Idmiston Road,  
Porton,  
Wiltshire,  
SP4 0LD  
Tel: 07 763 411 595  
email: [parishclerk@idmistonpc.org](mailto:parishclerk@idmistonpc.org)

Full Name	
Home Address and Postcode	
Telephone Number	
Mobile Number	
Email Address	

It is a condition of being a councillor on Idmiston Parish Council that your phone number and email address (an official email address will be supplied) be made public on parish notice boards and website.

**Legal Qualifications for being a Councillor**

(To qualify you must be able to answer 'Yes' to both of the questions below)

Are you a British Citizen, a Commonwealth Citizen or a Citizen of a European Union country?	Yes/No
Are you 18 or over?	Yes/No

(To qualify you must be able to answer 'Yes' to at least one of the questions below)

Are you on the Electoral Register for the Parish of Idmiston?	Yes/No
Have you lived in the Parish of Idmiston for at least a year?	Yes/No
Have you been the owner or tenant of land in Parish of Idmiston for at least a year?	Yes/No
Have you had your only or main place of work in the Parish of Idmiston for at least a year?	Yes/No

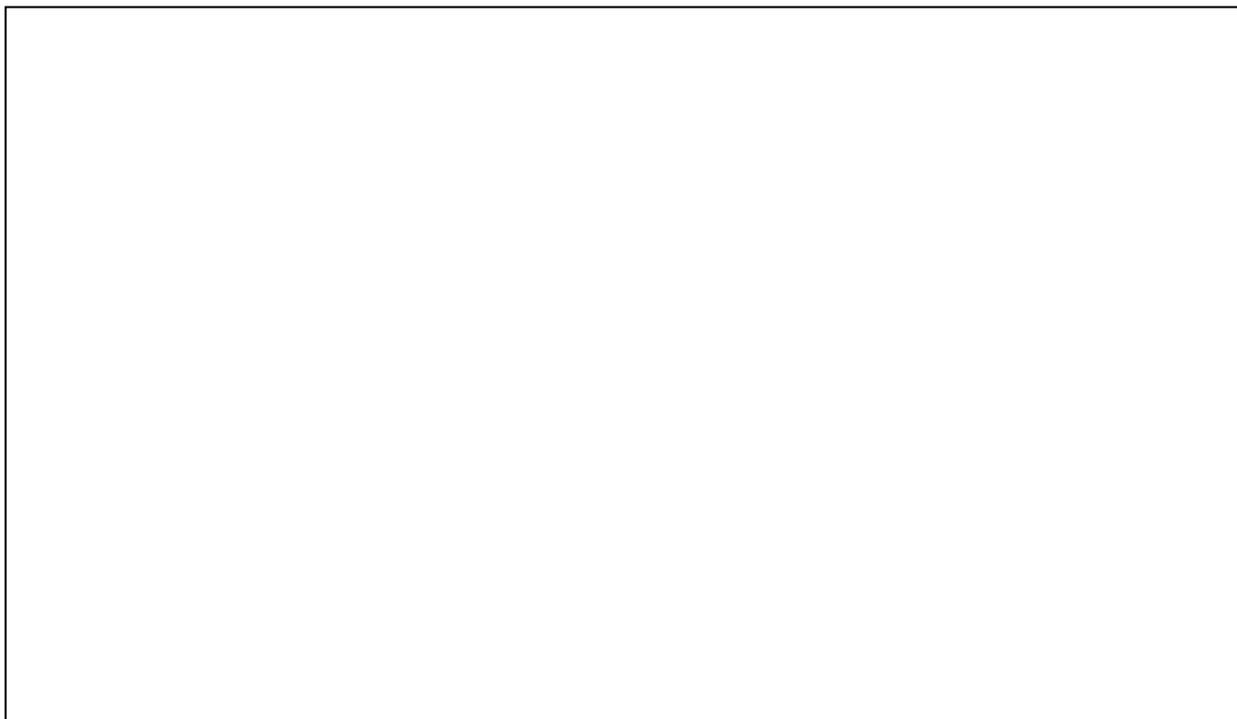
**Disqualifications**

(You must be able to answer No to all of the questions below to be eligible to serve as a councillor)

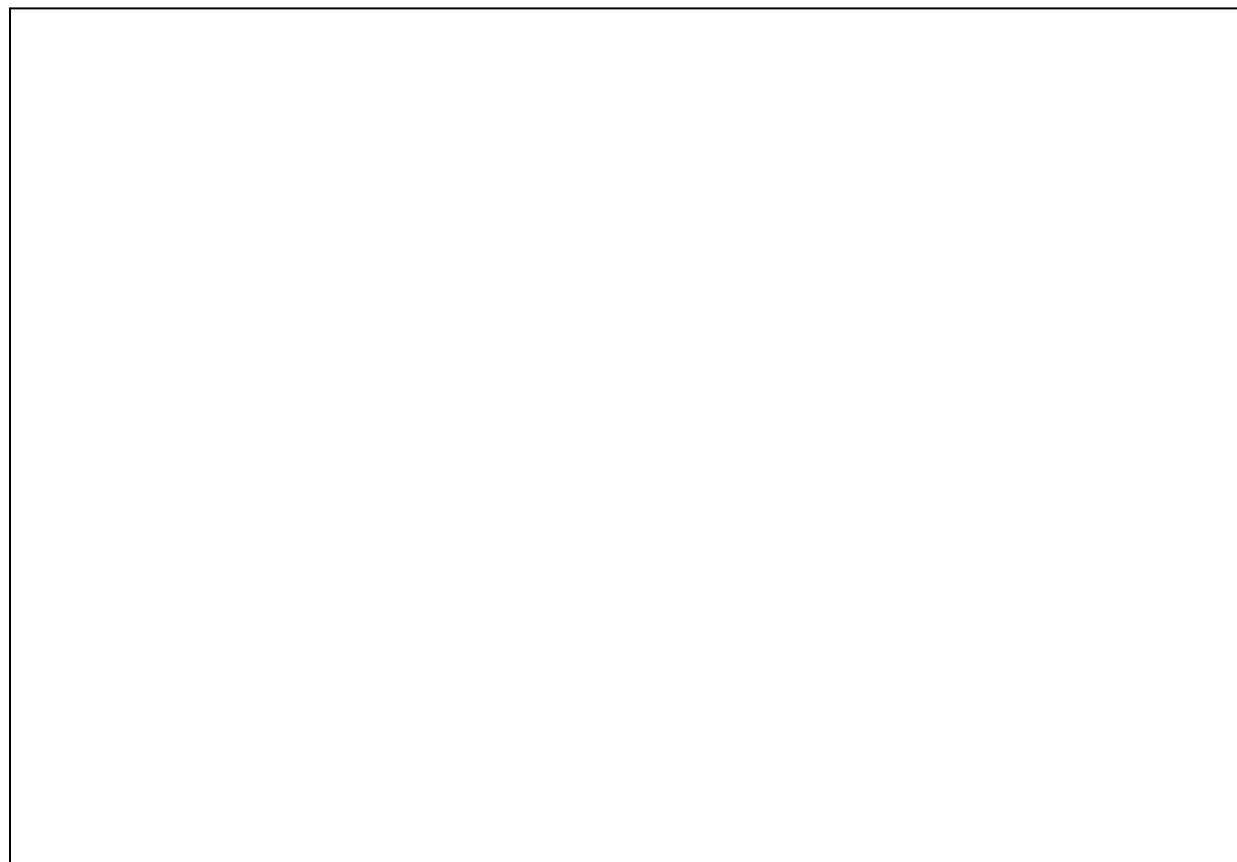
Are you the subject of a Bankruptcy Restrictions Order or Interim Order?	Yes/No
Have you, within the last five years, been convicted of an offence in the UK, the Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more without the option of a fine?	Yes/No
Are you disqualified by order of a court from being a member of a local authority?	Yes/No

Please briefly outline of why you are interested in being a councillor.

Charitable sector, business or trade union experience.



Please tell us something about the skills you feel you will bring to the council, for example, professional qualifications, financial or project management expertise.



Are there any questions you would like to ask the council?

Please note that the majority of council meetings are held in the evening and, unfortunately, under present legislation Idmiston Parish Council is not permitted to contribute to the cost of councillors' childcare or care of their dependants.

Signed.....

Date: .....

**ANNEX C to  
IPC Standing Orders**

**IT PROTOCOLS**

**Purpose**

1. This Annex provides guidance in relation to the use of Information Technology (IT). It is intended to facilitate good and effective communication.
2. Members of the Council should use common, platform independent formats for electronic documents eg. Microsoft Word, Microsoft Excel and Adobe Acrobat.
3. When using Microsoft Word, documents should be saved in a .doc format compatible with Word 2000.
4. When using Microsoft Excel, documents should be saved in a .xls format compatible with Excel 2000.
5. Adobe Acrobat documents are to be in a .pdf format.

**Use of Email**

6. Electronic correspondence between members of the Parish Council shall be via standard email protocol. A standard email client is available for use with all popular operating systems, eg. Microsoft Outlook or Outlook Express, Mac Mail, Thunderbird etc.
7. Attachments to emails should remain below 1Mb wherever possible.
8. Profanities, slanderous statements, pornographic material or any material known to contain a virus are not to be sent between Councillors or Councillors and the Parish Office.
9. Any member of the Council using email for Council business is to endeavour to ensure that their system is virus free.
10. Each member of the Council will be issued with an official email address in the format (first name).(last name)@idmistonpc.org.uk
11. Email groups will also be established for each Committee and/or working group of IPC. These will ensure that any email sent to a group is forwarded to each member of that committee and/or working group and copied to the Parish Clerk.
12. Any correspondence received by members of the Council from members of the public are to be forwarded to the Parish Clerk unanswered.

13. The email address of the Parish Clerk is: parishclerk@idmistonpc.org.uk

### **Documents**

14. Documents sent between members of IPC should be either in a plain text format, Microsoft Word format or Adobe Acrobat format (.pdf).

15. Any documents placed in the public domain after 1<sup>st</sup> January 2008, particularly those placed on the IPC website, must be in Adobe Acrobat (.pdf) format.

16. Documents placed in the public domain should have permissions set so that members of the public cannot edit them. This will help to protect IPC from potential misappropriation in the future.

### **Spreadsheets**

17. Any spreadsheets sent between members of IPC shall be in a format readable by Microsoft Excel.

18. Any spreadsheets placed in the public domain must be converted to Adobe Acrobat (.pdf) first.

### **Databases**

19. Due to software limitations, database formats are not to be used for information exchange between members of IPC, nor should they be placed in the public domain.

20. Any information contained in a database should be converted to one of the approved formats prior to exchange.

21. Where email is used for official IPC business, the Parish Clerk is to be copied so that a record can be kept for Parish Records. This record may be kept in hard copy, electronic form or on disk.

**ANNEX D to  
IPC Standing Orders**

**DUTIES OF THE IPC PARISH CLERK**

**Responsibilities and Duties**

1. The Clerk is IPC's Proper Officer and Responsible Finance Officer, and is a professional who serves as an independent and objective advisor.
2. In terms of the role as Proper Officer, the Clerk shall;
  - a. Carry out the duties of a Proper Officer as defined under Local Government Rules.
  - b. Attend training courses relevant to the execution of official duties as determined by IPC.
  - c. Make sure IPC has a full complement of legally elected and co-opted Councillors.
  - d. Advise IPC so as to ensure it has legal and effective meetings, and warn the Council and its Committees of any danger of their acting unlawfully.
  - e. Be responsible for the maintenance and application of Standing Orders as required by IPC. If the Parish Clerk is not sure that IPC and its Committees are acting correctly, the Parish Clerk will need to know how to find out and discuss questionable procedure with the appropriate authority.
  - f. Display and distribute notices to inform the public and IPC of the date time and venue for all IPC and Committee meetings.
  - g. Be responsible for the agenda and minutes of all IPC and Committee meetings and ensure the distribution of all appropriate papers to IPC members not less than three clear days prior to each meeting.
  - h. Maintain a register of declarations of interest made by Councillors.
  - i. Maintain a separate record of motions adopted by the Council.
  - j. Advise IPC on Committee structures and provide the same, necessary administrative services for Committees, Sub-Committees or Working Groups as for IPC meetings themselves.
  - k. Act as the focal point for all incoming and outgoing correspondence and arrange any meetings arising from such correspondence that are deemed appropriate.

- l. Send any letters arising from meetings in within 7 days of the meeting, ensuring a copy goes to the Chair of the relevant Committee before despatch.
  - m. Communicate replies from correspondence to the relevant Councillors to ensure they are fully briefed for subsequent meetings.
  - n. Follow up any letters sent to which replies have not been received 14 days after their dispatch.
  - o. Draft the IPC's financial responsibilities, maintain accurate and current records of financial transactions and be the focal point for business with the IPC's Auditors.
  - p. Obtain quotations for relevant goods and services, and place orders for them in accordance with IPC Standing Orders.
  - q. Arrange for the collation and editing of articles for the Parish Newsletter, for its printing and for its distribution to members of IPC, to Parishioners and the IPC website.
3. The style structures and content of the minutes constitute a legal document that must be available for public inspection.
4. All IPC correspondence shall be archived for 5 years, both as hard copy and electronically, using a system approved by IPC.

**ANNEX E to  
IPC Standing Orders**

**CODE OF CONDUCT FOR IDMISTON PARISH COUNCIL**

**Rules for Councillors**

1. You cannot act as a councillor until you have signed a formal declaration of acceptance of your office. You must sign it at, or before, the first council meeting following your election in the presence of another councillor or the Parish Clerk. Failure to sign means you cannot continue as a councillor, unless you were given permission to sign later.
2. As a councillor you have a responsibility to:
  - a. Attend meetings when summoned to do so; the notice to attend a council meeting is, in law, a summons, because you have a duty to attend.
  - b. Consider, in advance of the meeting, the agenda and any related documents which were sent to you with the summons.
  - c. Take part in meetings and consider all the relevant facts and issues on matters which require a decision including the views of others expressed at the meeting.
  - d. Take part in voting and respect decisions made by the majority of those present and voting.
  - e. Ensure, with other councillors, that the council is properly managed represent the whole electorate, and not just those who voted for you.

**Councillors' Conduct and Interests**

3. There are seven Nolan principles that apply to the conduct of people in public life. They are:
  - a. **Selflessness:** you should act in the public interest.
  - b. **Integrity:** you should not put yourself under any obligations to others, allow them improperly to influence you or seek benefit for yourself, family, friends or close associates.
  - c. **Objectivity:** you should act impartially, fairly and on merit.
  - d. **Accountability:** you should be prepared to submit to public scrutiny necessary to ensure accountability.

- e. **Openness:** you should be open and transparent in your actions and decisions unless there are clear and lawful reasons for non-disclosure.
- f. **Honesty:** you should always be truthful.
- g. **Leadership:** as a councillor, you should promote, support and exhibit high standards of conduct and be willing to challenge poor behaviour.

### **Due Care and Attention - Code of Conduct**

- 4. Each local council must adopt and publicise a code of conduct that is in line with the Nolan principles. The code should deal with councillors' obligations about their conduct including the registration and disclosure of their interests (see below). Complaints about councillors' conduct are dealt with by the principal authority.
- 5. The National Association of Local Councils (NALC) has developed a template code of conduct specifically for parish councils, which covers these issues. Your council is not obliged to use this template (Note: Idmiston Parish Council has used this template for their Standing Orders). Alternative models are also available from your principal authority or from the Department for Communities and Local Government website.
- 6. In the interests of transparency and in line with the Good Councillors Guide, being an IPC Councillor requires publication on the Idmiston Parish Council website of:
  - a. A headshot photograph.
  - b. A minimum of one of the following types of contact details: telephone number mobile number, address, email address (IPC or personal).
- 7. You should ask to see your council's code of conduct to ensure that you are aware of your responsibilities and any personal disclosure requirements.

### **Councillors' Interests**

- 8. As a councillor, you must abide by rules that apply to the disclosure of some business or financial interests. These are called "Disclosable Pecuniary Interests" or "DPIs". DPIs include your employment, ownership of land, and business interests in your parish. Other interests are usually non-pecuniary or personal interests. Your council's code will establish what actions you must take for personal interests.
- 9. You must disclose to your principal authority's monitoring officer any DPIs and any other disclosable interests that are referred to in your council's Code of Conduct within 28 days of becoming a member of the council. The monitoring officer will make a register of your interests available to the public – usually on the principal authority's website. This rule on disclosure also applies to your spouse, civil partner

or cohabitee, as if their interests were yours. You should be aware that the register of interests does not distinguish between a councillor's interests and those that are held by your partner.

10. If the monitoring officer decides that, by making a disclosable interest public, you might be subject to a threat of violence or intimidation the fact that you have the interest can be registered *without details* of the interest. This is known as a **sensitive interest**.

11. You should give a copy of your register of interests to your clerk for your council's website.

12. If an agenda item relates to one of your DPIs, such as the expansion of a supermarket chain in which you own shares, you must not participate in the discussion or vote. You must withdraw if your council's Standing Orders say so. Also, if the interest has not been registered with the monitoring officer, you must disclose the interest at the meeting (or, for sensitive interests, disclose the issue but not the detail). You must then notify the monitoring officer within 28 days of the meeting.

13. The declaration of interests at meetings is intended to give the public confidence in your council's decision making. It helps if the agenda gives councillors an opportunity to declare an interest early in a meeting.

### **Dispensations**

14. A council can decide that a councillor with a DPI can participate and vote on a council motion. This is called granting a **dispensation**. If you have a DPI but think you should be able to participate in the discussion and vote on the matter, you can put your request in writing to the council. Your clerk will advise. As a councillor, you can vote on your own request for a dispensation.

### **Criminal Offences**

15. There are a number of potential criminal offences associated with:

- a. The failure to register or disclose a DPI.
- b. Discussion and/or voting on a DPI.

16. Successful prosecutions can result in a fine of £5,000 and disqualification for five years from your local council and from other local authorities.

