

# **Axbridge Town Council**

## **Standing Orders**

**AUGUST 2017**

**&**

**Appendices :**

- Code of Conduct**
- Committee and Group Remits**
- Financial Regulations**
- Council Policies**
- Risk Assessment and Management**
- Delegation Scheme for the Proper Officer**

## PREFACE

This document is a modified version of the model “Standing Orders” booklet issued by NALC (amended slightly by SALC) in 2010 and provides a complete set of Standing Orders as adopted by Axbridge Town Council from the date on the first page.

The document has been left in the generalised format of the NALC booklet and the original paragraph numbering has been retained to maintain the cross references within the document and for easy reference when future editions are published by NALC as the result of changes to legislation. Orders or paragraphs not required are shown in strikethrough font and additional orders and paragraphs have been added to the model orders.

Some Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. These Standing Orders cannot be altered or suspended.

It is, of course, recognised that local councillors can be male or female. Therefore, wherever the masculine gender is used this should be interpreted as also meaning the feminine gender where appropriate.

The Chairman of a Town Council is entitled to use the title “Town Mayor”. The title confers no additional powers on the chairman, and in particular, has no implications for his conduct in meetings. The term “Chairman” is retained in these orders as it refers to the person presiding at Council or Committee meetings who may not necessarily be the Town Mayor.

The term “Standing Committee” is used to refer to a committee of the council which has delegated powers and has meetings which have the same legal regulations as meetings of the council. The term “Advisory Group” (in place of “Advisory Committee” used in the model orders) is used for groups of councillors and advisors set up by council that have no delegated powers but they are subject to regulations and guidance set down in standing orders.

### Notes:

1. Local Government Act 1972 section 270 includes the following definitions and interpretations that are relevant.

“Christmas break” means the period beginning with the last week day before Christmas Day and ending with the first week day after Christmas Day which is not a bank holiday.

“Easter break” means the periods beginning with the Thursday before and ending with the Tuesday after Easter Day.

2. The option at 3 (a) (i) shown in strikethrough font, for electronic service of Notices, is open to challenge at Audit and is currently not recommended for adoption. A test case or legislation is required to clarify the position.

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## STANDING ORDERS

### 1 Meetings of Council & Standing Committees

- 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.** Meetings must be held in the venues advertised, normally the Town Hall, at such dates and times as agreed by the Council or the relevant Committee
- b **When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**

#### Admission of The Public and Press

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

“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”

In the case of a committee meeting, on the passing of this resolution, all councillors who are not members of that committee must leave the meeting unless the members of the committee agree to one or more remaining. Those councillors remaining by resolution of the committee must be named in the minutes.

- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda or is relevant to the council's legal responsibilities. Members of the public may approach the council table at the invitation of the chairman but must not sit at the council table at any time, except in the case of disability, when a chair at the end of the council table may be used temporarily. Normally, seating away from the council table will be provided for members of the public and press. If a

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

- e The period of time which is designated for public participation in accordance with standing order 1(d) above shall not exceed 15 minutes.
- f Subject to standing order 1(e) above, the Chairman of meeting may, at his discretion and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business to be transacted at that meeting or business that is relevant to the council's legal responsibilities. If invited so to do to, a member of the public may speak for a maximum of three minutes on any one topic. The Chairman may require a spokesperson to speak on behalf of the members of the public present when a group of individuals share the same view on a topic. The Chairman will at a convenient time in the transaction of the business, allow any members of the public to make representations, answer questions or give evidence relating to the matter or business being transacted at that time. This opportunity to address the Council will also apply to any member who is otherwise excluded due to a declared prejudicial interest.
- g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- i A brief summary record of a public participation session at a meeting shall be included in the minutes of that meeting. The minute may include the name of each person who spoke, who they represented and their topic. It will not give details of what they said or their opinion or whether they were for or against a motion on the agenda or any response from councillors given at that point in the meeting.
- j A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be

seated when speaking.

- k Any person speaking at a meeting shall address his comments to the Chairman.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.** [*Public Bodies (Admission to Meetings) Act 1960 s1 (7)*]
- n **In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

Chairman

- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**
- p **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.** The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- q **Subject to model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- r **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.** [*See also standing orders 2 (i) and (j) below.*]
- s **Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each**

**councillor present and voting gave his vote for or against that question. Such a request shall be made before the vote is taken and before moving on to the next item of business on the agenda.** A signed ballot can be requested by two members. This request must be made before the vote is taken and before moving on to the next item of business.

- t **The minutes of a meeting shall record the names of councillors present** and those giving apologies for none attendance.
- u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- v **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
- w **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.** [*See also standing orders 7 and 8 below*]

#### Quorum

- x **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council or committee are present and in no case shall the quorum of a meeting be less than 3.**
- y **If a meeting is or becomes inquorate no business shall be transacted** and the meeting may be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting or delegated to the Clerk as per the delegation scheme (Appendix F).

#### Length of Meetings

- z Meetings shall not exceed a period of two and a half hours. To minimise the length of meetings all reports for consideration at the meeting should be available to be sent out with the summons to the meeting and at the meeting will be taken as read. Long verbal reports or late written reports should not be accepted by the chairman except under extenuating circumstances.

#### Cancellation

- aa In the event of severe weather conditions or any other emergency the Clerk may, in consultation with the Chairman of Council, cancel any meeting of Council, a committee or a sub-committee and shall give

immediate notice of such cancellation to as many members of council as is practicable.

Smoking.

- bb Smoking is not permitted at any meeting of the Council or any of its committees or groups.

One minute silence

- cc The council chairman will ask for one minutes silence before the commencement of a council meeting as a sign of respect following the death of a member or former member of the council.

- dd Prayer

That the holding of a prayer be at the discretion of the incumbent Mayor and, if held, that it be done so prior to the start of the Council meeting.

- ee Food and Drink

A small packet of mints/throats sweets and a small bottle of still water is considered acceptable at meetings of the Council, standing committees or meetings held in the town hall. No other food or drink is allowed.

## 2 Ordinary Council meetings

*[See also standing order 1 above]*

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.** The Mayor Making Ceremony will form part of the Statutory Annual Town Council meeting
- 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.** The Mayor Making Ceremony will form part of the Statutory Annual Town Council meeting.
- 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 (Wales) In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council~~

~~may direct.~~

- f The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- g The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- h The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- i In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- j In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**

Annual meeting

- k Following the election of Chairman of the Council (as per standing orders 1(f) to 1(j)) at the annual meeting of the council, the order of business shall be as follows.**
  - To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
  - In an election year, to decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
  - To elect a Vice-Chairman of the Council
  - To put forward a motion to defer all other business to the next

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ordinary meeting of the Council on a specified date.

#### First Ordinary meeting

At the first ordinary council meeting after the annual meeting the business must include:

- Confirmation of the accuracy of the minutes of the last ordinary meeting of the Council and the annual meeting.
- Receipt of nominations to existing committees and advisory groups.
- Appointment of councillors as representatives on outside bodies.
- Appointment of honorary officers.
- In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- In a year of elections, agree the procedure to fill any vacancies left unfulfilled at the election by reason of insufficient nominations.
- Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

#### Annual Business items

The following items of business must be dealt with at ordinary meetings at least once during each year.

- Review of the terms of references for committees and advisory groups. (Appendix B)
- Review and adoption of Standing Orders.
- Review and adoption of financial regulations. (Appendix C)
- Review policies after consideration by relevant Committee or Group. (Appendix D.)
- Review of Risk Assessment and Management document. (Appendix E)
- Review of representation on or work with external bodies and arrangements for reporting back.
- Make arrangements for the review and confirmation of arrangements for insurance cover in respect of all insured risks.
- Make arrangements for the review of the Council's and/or employees' memberships of other bodies.
- Make arrangements for the establishment or review of the Council's

complaints procedure.

- Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- Make arrangements for the establishment or review of the Council's policy for dealing with the press/media.
- Not later than the meeting at which estimates for the following year are settled, the Council shall review the pay and conditions of service of existing employees.

Business at all meetings (except the annual meeting)

The following must be dealt with at every ordinary meeting of the council except the annual meeting.

- To read and consider the minutes. Provided that a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
- **After consideration to approve the signature of the minutes by the person presiding as a correct record.**
- **To deal with business expressly required by statute to be done.**
- To dispose of business, if any, remaining from previous meetings.
- All other items of business to be ordered at the discretion of the clerk in consultation with the chairman.

Urgent business.

- l. A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman or by any member and, if proposed by the chairman, may be put to the vote without being seconded, and shall be put to the vote without discussion.

### **3 Proper Officer**

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

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

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- i. **Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee at least 3 clear days before the meeting.**  
**OR**  
~~{Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer}.~~
- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least ( 6 ) days before the meeting confirming his withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3(b) (i) above.**
- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office from councillors.**
- viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also model standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.

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- xv. Record in a dedicated database the following details of every planning application notified to the Council
  - The date on which it was received
  - The name of the applicant
  - The place to which it relates
  - The Council's response to the local planning authority.
- xvi. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council or Chairman or in his absence Vice-Chairman of the Planning and Licences Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council or the Planning and Licences Committee. [The Committee remit defines those applications that are delegated to it.]
- xvii. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- xix. Declare any casual vacancy arising in the office of councillor following resignation, ceasing to be qualified, disqualification or loss of office due to failure to attend; and then to carry out the necessary steps to proceed towards the filling of the vacancy as appropriate.
- xx. Act as per the delegation scheme in matters relating to the Planning and Licences Committee.

#### Correspondence

- xxi. That the Proper Officer shall be authorised to deal with correspondence on behalf of the Town Council, as appropriate, having regard to the following guidance

Items requiring a Council decision should be referred to full Council or the relevant Committee, or passed to the relevant Advisory Group or representative to make a recommendation to Council.

Items received for the council's information should be included on the list of correspondence for the subsequent Council meeting for members' information.

Correspondence which the Clerk considers, after consultation with the Chairman, is not relevant to, or within the remit of, Axbridge Town Council, will not be brought to the Council's attention.

Correspondence which the Clerk considers, after consultation with the Chairman, may contain defamatory statements will not be brought to the Council's attention, due to the risk to the Council of publishing such information. The correspondence will not be disclosed or acknowledged and, where considered appropriate, will be returned to the sender.

Correspondence relating to formal allegations to the Sedgemoor District Council's Standards Committee, or relevant body, will not be brought to the attention of Council whilst under consideration as these matters are outside the remit of the Council at that stage. They will be treated as sub-judice and only reported to Council once the matter has been concluded.

#### **4 Motions requiring written notice**

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least seven clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least seven clear days before the next meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.

- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

## **5 Motions not requiring written notice**

- a Motions in respect of the following matters may be moved without written notice.
  - i. To appoint a person to preside at a meeting.
  - ii. To approve the absences of councillors.
  - iii. To approve the accuracy of the minutes of the previous meeting.
  - iv. To correct an inaccuracy in the minutes of the previous meeting.
  - v. To dispose of business, if any, remaining from the last meeting.
  - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
  - vii. To proceed to the next business on the agenda.
  - viii. To close or adjourn debate.
  - ix. To refer by formal delegation a matter to a committee or an employee.
  - x. To appoint a committee any councillors (including substitutes) thereto.
  - xi. To receive nominations to a committee.
  - xii. To dissolve a committee.
  - xiii. To note the minutes of a meeting of a committee.
  - xiv. To consider a report and/or recommendations made by a committee or an employee.
  - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
  - xvi. To authorise legal deeds signed by two councillors and witnessed. (See standing orders 14(a) and (b) below.)
  - xvii. To authorise the payment of monies up to £6000.
  - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
  - xix. To extend the time limit for speeches.
  - xx. To exclude the press and public for all or part of a meeting.
  - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
  - xxii. To give the consent of the Council if such consent is required by standing orders.
  - xxiii. To suspend any standing order except those which are**

**mandatory by law.**

- xxiv. To adjourn the meeting.
  - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
  - xxvi. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

**6 Rules of debate**

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

voted upon separately.

- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding three minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Chairman and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be silent or for him to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting;
  - ix. to suspend any standing order, except those which are mandatory.

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

## **7 Code of conduct**

*[See also standing orders 1(d)–(i) above]*

- a **All councillors shall observe the code of conduct adopted by the Council as given in Appendix A.**
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
- d **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

## **8. Questions**

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

## **9 Minutes**

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

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- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the majority of the ( ) and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

#### **10. Disorderly conduct**

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

#### **11. Rescission of previous resolutions**

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least two councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee or advisory group.

A resolution (whether affirmative or negative) of a Standing Committee of the Council shall not be reversed within 6 months except by a special

motion, the written notice whereof bears the names of at least two members of the committee.

- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## 12. Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

## 13. Expenditure

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

## 14. Execution and sealing of legal deeds

*[See also standing order 5(a)(xvi) above]*

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## 15. Committees

*[See also standing order 1 above]*

The Council may, appoint the following standing committees;  
The Appeals Panel [Only appointed when required]  
The Complaints Committee [Only appointed when required]  
The Personnel and Protocol Committee  
The Planning and Licences Committee  
and:

- i. shall determine their terms of reference and delegate to them a review of relevant policies. [*Appendix B shows Committee remits*];
- ii. may permit committees to determine the dates of their meetings;
- iii. shall appoint at least three persons to each committee such that there is a majority of councillors, and, determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
- iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer three days before the meeting that they are unable to attend;
- v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- vi. may in accordance with standing orders, dissolve a committee at any time.
- ~~vii. The Chairman and Vice Chairman of Council may elect to be a voting member of any committee or sub-committee other than the Staffing Committee.~~
- viii The Chairman and Vice-Chairman of the Council, ex-officio, shall be voting members of every standing committee.
- ix. Except where ordered by the Council, the quorum of a standing committee will be three or one third of its members whichever is the larger with at least one half of those present being councillors.
- x. Every standing committee and advisory group shall at its first meeting before proceeding to any other business, elect a Chairman who must be a councillor, and may elect a Vice-Chairman, who must be a councillor. They shall cease to hold office at the next Annual Meeting of the council unless the remit specifies otherwise.
- xi. A member who has proposed a resolution, which has been referred to a standing committee of which he is not a member, may explain his resolution to that committee but shall not vote.

Special Meeting of a Standing Committee

- xii. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An

additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

- xiii Committees will, at their first meeting each year, have an agenda item to review their remit and all policies relating to that committee as listed in standing orders. Each year the review will be reported to full council and any changes recommended by the committee will be referred to council for consideration.

**16. Sub-committees**

*See also standing order 1 above*

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

**17. Extraordinary meetings**

*[See also standing order 1 above]*

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chairman of a committee may convene an extraordinary meeting of the committee or at any time.
- d If the Chairman of a committee does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two councillors, those two councillors may convene an extraordinary meeting of a committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

**18. Advisory Groups**

*See also standing order 1 above*

- a The Council may appoint advisory groups comprised of a number of

councillors and non-councillors. These may be Permanent or Temporary Groups the latter being appointed for a specific function or event. The permanent advisory groups being

The Administration and Finance Advisory Group  
The Axbridge Promotion Advisory Group  
The Axbridge Youth Partnership  
The Cemeteries, Allotments and Open Spaces Advisory Group  
The Leisure and Recreation Advisory Group  
The Highways Advisory Group.

- b The Council will determine the remits for the Advisory Groups but may not delegate any powers to them. Relevant council policies may be referred to them for review. [*Remits for permanent groups are shown in Appendix B.*]
- c The Chairman of Council the Vice-chairman of Council are ex-officio members of all Advisory Groups and all advisory groups must have a majority of councillors.
- d Every Advisory Group shall at its first meeting before preceding to any other business, elect a Chairman who must be a councillor, and may elect a Vice-Chairman, who must be a councillor. They shall cease to hold office at the next Annual Meeting of the council unless the remit specifies otherwise.
- e An advisory group may make recommendations and give notice thereof to the Council. The wording of recommendations must be agreed by a majority of members attending the meeting at which they are dealt with.
- f An advisory group must report to council regularly on its activities in a written format. Reports must record details of all meetings including the names of those present and those who gave apologies and the author and date.
- g All councillors are entitled to attend Advisory Group meetings to observe. Councillors who are not members of the advisory group and wish to attend must inform the advisory group chairman at least seven days before the date of the meeting.
- h A member who has proposed a resolution, which has been referred to an advisory group of which he is not a member, may explain his resolution to that group but shall not vote.

#### Venues for meetings

- i Advisory groups of the Council should meet responsibly at a venue which is considered by the members of that group to be a convenient and appropriate location for the members involved.
- j When contentious issues or items which have not been fully prepared for release to the public are to be discussed, the meetings should be held in

the Town Hall or Council Chamber.

- k Consideration should be given to using the Town Hall or Council Chamber for advisory group meetings which consist of a larger number of members and/or involve co-opted members.
- l If any member of an advisory group wishes for that group to meet in the Town Hall or Council Chamber, the group will meet there accordingly.
- m Advisory Groups will, at their first meeting each year, have an agenda item to review their remit and all policies relating to that advisory group as listed in standing orders. Each year the review will be reported to full council and any changes recommended by the advisory group will be referred to council for consideration.

## **19. Accounts and Financial Statement**

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

## **20. Estimates/precepts**

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

## **21. Canvassing of and recommendations by councillors**

- a Canvassing councillors or the members of a committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.

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- b A councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **22. Inspection of documents**

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee and request a copy for the same purpose. The minutes of meetings of the Council and its committees shall be available for inspection by councillors.

## **23. Unauthorised activities**

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

## **24. Confidential business**

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

## **25. Power of well-being**

- a **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b **The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's**

**preceding period of eligibility referred to in standing order 25(b) above.**

**26. Matters affecting council employees**

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the Personnel and Protocol Committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above. It shall also consider whether other councillors shall be excluded to ensure proper process in any Appeal.
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Personnel and Protocol Committee at its next meeting.
- c The Chairman of the Personnel and Protocol Committee or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee shall contact the Chairman of the Personnel and Protocol Committee or in his absence, the Vice-Chairman of the committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the committee.
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by Clerk relates to the Chairman or Vice-Chairman of the Personnel and Protocol Committee, this shall be communicated to another member of the committee, which shall be reported back and progressed by resolution of the committee.
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

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- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to the Clerk and/or the Chairman of the Council.

## **27. Freedom of Information Act 2000**

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

## **28. Relations with the press/media**

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## **29. Liaison with District and County or Unitary Councillors**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillors of the District Council and County Council representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County shall be sent to the District or County Council councillors representing its electoral ward.

## **30. Financial matters**

- a The Council shall consider and approve financial regulations (Appendix C) drawn up by the Responsible Financial Officer, which shall include

detailed arrangements in respect of the following:

- i. the accounting records and systems of internal control;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the Internal Auditor 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;
  - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
- b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
- c Any formal tender process shall comprise the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper;
  - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
  - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

### **31. Allegations of breaches of the code of conduct**

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall notify the chairman of the Council, ~~who shall refer it to a committee known as the ( ) committee.~~
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council ~~( )~~ ~~committee~~ of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of

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- that matter as such until the complaint is resolved.
- c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
  - d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Council (~~—~~) committee) shall take ~~the steps set out below, together with other~~ all steps considered necessary, to maintain confidentiality.
    - i. ~~Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.~~
    - ii. ~~Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.~~
    - iii. ~~Ensure that the public and press are excluded from meetings as appropriate.~~
    - iv. ~~Ensure that the minutes of meetings preserve confidentiality.~~
    - v. ~~Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.~~
  - e ~~Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the (~~—~~) committee or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.~~
  - f ~~The (~~—~~) committee shall have the power to:~~
    - i. ~~seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;~~
    - ii. ~~seek and share information relevant to the complaint;~~
    - iii. ~~grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.~~
  - g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

### **32. Variation, revocation and suspension of standing orders**

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

### **33. Standing orders to be given to councillors**

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

### **34. Complaints on procedures**

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board (England). The complaints procedure adopted by the Council is set out in full in Council Policies (Appendix D).

### **35. Email correspondence by Councillors and Employees**

The clerk will have email facilities and an allocated email address for use on council business.

Other employees may also have allocated email addresses if appropriate. Councillors are encouraged to use email for council business.

For all councillors agreeing to use email

- a. The council will set up an email address for council use only i.e. this can be used for correspondence with the clerk and other employees, councillors, or other persons or organisations in connection with council business.
- b. The clerk can communicate with councillors using this address. The clerk will not use any other councillors’ email addresses except in exceptional circumstances.
- c. Councillors are expected to read their emails on a regular basis and act on them as appropriate.
- d. Council email addresses will be made available to the general public.
- e. Summons to meetings of the council and its committees, together with the relevant agendas, papers, minutes and short reports issued at the same time, will be supplied as a hard copy and by email.
- f. Normally long reports and consultation documents will be available on-line only.
- g. All confidential items will be supplied as printed copy only.
- h. Emails to individuals and organisations outside of the council should be copied into the clerk.
- i. Issues should not be debated by email. The discussion and decision should happen at the appropriate meeting of councillors.
- j. Responding to emails by selecting “Reply all” should be used with

extreme caution. If it is used, the list of email addresses must be checked carefully before sending to avoid replies going to unintended persons.

(For councillors not using email, alternative arrangements will be made for correspondence.)

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## **APPENDIX A**

### **AXBRIDGE TOWN COUNCIL MEMBER CODE OF CONDUCT**

ADOPTED BY COUNCIL: 16<sup>TH</sup> JULY 2012 (MINUTE 49/12(E) REFERS) AND CONTINUED ADOPTION ENDORSED BY COUNCIL ON 15<sup>TH</sup> OCTOBER 2012 (MINUTE 106/12(E) REFERS)

NB THE WORDS IN SQUARE BRACKETS [ ] APPLY TO PARISHES ONLY

#### **INTRODUCTION AND INTERPRETATION**

As a member and representative of this Council it is your responsibility to comply with this Code when you undertake or claim to be undertaking Council business or give the impression that you are undertaking Council business.

As a representative of this Council your actions impact on how the Council as a whole is viewed by the public. It is important, therefore, that you do not do anything when undertaking Council business which you could not justify to the public. It is not enough to avoid actual impropriety, you should at all times avoid any occasion for suspicion or appearance of improper conduct.

This Code is based upon the seven principles of public life which are set out at Appendix 1. You shall have regard to those principles when fulfilling your role.

An explanation of the terms used in this Code can be found in Appendix 2.

#### **1. GENERAL OBLIGATIONS**

When undertaking Council business you must:

- 1.1 treat others with respect;

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- 1.2 not use or attempt to use your position as a member improperly to give yourself or any other person, an advantage or disadvantage;
- 1.3 when reaching decisions on any matter, consider any relevant advice provided to you by—
  - a) the Council's Chief Finance Officer (S151) [responsible officer (RFO)]; or
  - b) the Council's Monitoring Officer [proper officer],in accordance with his or her statutory duties;
- 1.4 give reasons for decisions in accordance with any statutory requirements and the Constitution of the Council [second part only applicable if the Town/Parish has a constitution];
- 1.5 act in accordance with the [the Council's policies –Towns/Parishes only] Council's Constitution and the policies contained within it and any other relevant Council policies ;
- 1.6 not use Council's resources improperly (including for political purposes);
- 1.7 avoid doing anything which may cause the Council to breach a statutory duty or any of the equality enactments (as defined in section 149 of the Equality Act 2010);
- 1.8 not bully any person;

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- 1.9 not intimidate or attempt to intimidate any person who is or is likely to be—
- a) a complainant,
  - b) a witness,
  - c) involved in the administration of any investigation or proceedings, or
  - d) any other person carrying out the functions of the Council,
- in relation to an allegation that a member (including yourself) has failed to comply with the Council's code of conduct;
- 1.10 avoid doing anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council;
- 1.11 not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
- a) you have the consent of a person authorised to give it;
  - b) you are required by law to do so;
  - c) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
  - d) the disclosure is—
    - i. reasonable and in the public interest; and
    - ii. made in good faith and in compliance with the reasonable requirements of the Council; and

e) you have consulted the Monitoring Officer prior to its release;

1.12 not prevent another person from gaining access to information to which that person is entitled by law; and

1.13 not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

## **2. INTERESTS**

### Disclosable Pecuniary Interests

2.1 You must register and declare any Disclosable Pecuniary Interests that relate to your public duties as required by this Code, and set out in Appendix 3.

2.2 You must, within 28 days of this Code being adopted by the Council or your taking office as a member or co-opted member, register any Disclosable Pecuniary Interests with the Council's Monitoring Officer, where the Disclosable Pecuniary Interest is yours, your spouse's or civil partner's, or is the Disclosable Pecuniary Interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners. Disclosable Pecuniary Interests will be recorded in the [District] Council's Register of Members' Interests and made available for public inspection including on the [District] Council's website at: [www.sedgemoor.gov.uk](http://www.sedgemoor.gov.uk). [In addition it will be made available on the Council's website at [www.axbridge-tc.gov.uk](http://www.axbridge-tc.gov.uk) [ only applicable for those parishes with a website]

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2.3 Within 28 days of becoming aware of any new Disclosable Pecuniary Interest or change to any such interest already registered, you must register details of that new interest or change in writing to the Council's monitoring officer.

2.4 Where any business of the Council, relates to or affects a Disclosable Pecuniary Interest whether registered under 2.2 or 2.3 above or not, and you attend any meeting of the Council, its Cabinet/Executive or any Committee, Sub-Committee, Joint Committee [delete as necessary] at which that business is to be considered, you must:

- not seek to influence a decision about that business
- disclose to that meeting the existence and nature of that interest no later than the start of the consideration of the business in which you have that interest, or (if later) the time at which the interest becomes apparent to you. The exception to the requirement to disclose an interest is if the matter is a sensitive interest under paragraph 2.11
- withdraw from the meeting room or chamber as soon as it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from the Council's Monitoring Officer  
or  
Standards Committee [Council or clerk] .

2.5 Following any disclosure at a meeting or as part of a decision record, of a Disclosable Pecuniary Interest not on the Council's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of the disclosure at the meeting or in the decision record in order for the interest to be included in the register.

2.6 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a Disclosable Pecuniary Interest. Additionally you must observe the restrictions the Council places on your involvement in matters where you have a Disclosable Pecuniary Interest as defined by the Council and set out in this Code.

### Other Interests

NOTE: It is conceivable that an interest could be categorised as both a Disclosable Pecuniary Interest and a personal or a personal and prejudicial interest. If so you must treat it as a Disclosable Pecuniary Interest and comply with the requirements set out in paragraphs 2.1 – 2.6 inclusive

2.7 (1) In addition to the Disclosable Pecuniary Interests notifiable under the Localism Act 2011, you must, within 28 days of—

a) this Code being adopted by or applied to the Council; or

b) your election or appointment to office (where that is later),

give written notification to the Monitoring Officer of the details of your other personal interests, as defined in 2.8(1) (i) and (ii) below, for inclusion in the register of interests. The exception to this requirement is if the detail of the personal interest is classified as sensitive – see paragraph 2.11.

(2) You must, within 28 days of becoming aware of any new personal interest or change to any such registered interest, notify the Monitoring Officer of the details of that new interest or change.

### Personal Interests

2.8 (1) You have a personal interest in any business of the Council where:

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;

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(ii) any body—

- exercising functions of a public nature;
- established for charitable purposes; or
- one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;

(b) a decision in relation to any business of the Council might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a significant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division, as the case may be, affected by the decision;

- (2) Subject to sub-paragraphs (3) to (5) below, where you are aware of a personal interest described in paragraph (1) above in any business of the Council, and you attend a meeting of the Council at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the start of the consideration of that business, or when the interest becomes apparent to you.
- (3) Where you have a personal interest in any business of the Council which relates to or is likely to affect a significant person (see paragraph 1 (b) above and Appendix 2 for the interpretation of the term 'significant person'), or a body described in paragraph 2.8(1)(a)(ii) you need only disclose to the meeting the existence and nature of that interest if and when you address the meeting on that business.
- (4) Where you have a personal interest but the interest is not detailed in the Council's register of members' interests because of the sensitive nature of the interest, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (5) Where you have a personal interest in any business of the Council and you have made an individual decision (as a Cabinet/Executive member) in relation to that business, you must ensure that any written statement of

that decision records the existence and nature of that interest subject to (4) above.

- (6) Any personal interests notified to the Monitoring Officer will be included in the register of interests.
- (7) A copy of the register will be available for public inspection and will be published on the [District] Council's website [and the Council's website (where applicable)].

### Prejudicial Interests

2.9 (1) Where you have a personal interest in any business of your Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business—

- (a) affects your financial position or the financial position of a significant person or a body described in paragraphs 2.8(1)(a)(i) and (ii) (other than another town parish district or county council of which you are also a member); or
- (b) relates to determining any approval, consent, licence, permission or registration in relation to you or any significant person or a body described in paragraph 2.8(1)(a)(ii) (other than another town parish district or county council of which you are also a member).

(2) Subject to paragraph (3) and (4), where you have a prejudicial interest in any business of your Council—

- (a) You may not participate in any discussion of the matter at a meeting.
- (b) You may not participate in any vote taken on the matter at a meeting.
- (c) You must disclose the existence and nature of the interest to the meeting and leave the room where the meeting is held while any discussion or voting takes place on the matter. The exception to the requirement to disclose the detail of the interest is if the matter is a sensitive interest under paragraph 2.11. In these circumstances you need only state that you have a

prejudicial interest and that the details are withheld because of the sensitive information involved.

(3) Where you have a prejudicial interest in any business of your Council, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business and you leave the meeting room immediately after making representations, answering questions or giving evidence.

(4) Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of your Council in respect of [Towns/Parishes to delete as appropriate]—

(i) housing, where you are a tenant of your Council provided that those functions do not relate particularly to your tenancy or lease [not applicable];

(ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

(iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

(iv) an allowance, payment or indemnity given to members;

(v) any ceremonial honour given to members; and

(vi) setting council tax or a precept under the Local Government Finance Act 1992.

(5) Where, as a Cabinet/Executive member, you may take an individual decision, and you become aware of a prejudicial interest in the matter which is the subject of the proposed decision you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter, or seek to influence a decision about the matter.

### Receipts of gifts and hospitality

- 2.10 (1) You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which you have accepted as a member from any person or body other than the Council.
- (2) The Monitoring Officer will place your notification on a public register of gifts and hospitality.

### Sensitive Interests

- 2.11 (1) If you have a Disclosable Pecuniary Interest or a Personal or Personal and Prejudicial Interest but you consider that disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation **and** the Monitoring Officer agrees with that assessment then instead of disclosing the interest you need only disclose that you have a Disclosable Pecuniary Interest or Personal or Personal and Prejudicial Interest (as the case may be). In such instances any published version of the register of interests will exclude details of the interest but may state that you have an interest, the details of which are withheld.

### Overview and Scrutiny

- (1) [Not applicable to Town/Parishes] In relation to any business before an overview and scrutiny committee of the Council (or of a sub-committee of such a committee) where—

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(a) that business relates to a decision made (whether implemented or not) or action taken by your Council's Cabinet/Executive or another of your Council's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the Cabinet/Executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph a) and you were present when that decision was made or action was taken;

or

(c) that business relates to a decision made (whether implemented or not) or action taken by you (whether by virtue of the Council's constitution or under delegated authority from the Leader);

you may attend a meeting of the overview and scrutiny committee or sub-committee of the Council but only for the purpose of making representations, answering questions or giving evidence relating to the business.

## **THE SEVEN PRINCIPLES OF PUBLIC LIFE**

### **SELFLESSNESS**

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### **INTEGRITY**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

### **OBJECTIVITY**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **ACCOUNTABILITY**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **OPENNESS**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **HONESTY**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **LEADERSHIP**

Holders of public office should promote and support these principles by leadership and example.

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**AXBRIDGE TOWN COUNCIL'S CODE OF CONDUCT - INTERPRETATION**

In the Council's Code of Conduct the following words shall have the following meanings ascribed to them—

- “the Act” means the Localism Act 2011;
- “Disclosable Pecuniary Interest” is as defined in Appendix 3
- “meeting” means any meeting of—
  - (a) the Council;
  - (b) the Cabinet/Executive of the Council;
  - (c) any of the Council's or its Cabinet's/Executive's committees, sub-committees, joint committees, joint sub-committees, or area committees; whether or not the press and public are excluded from the meeting in question by a resolution of members
- “member” includes a co-opted member and an appointed member.
- “sensitive information” means information relating to a member's interests that the monitoring officer has determined need not be included in the member's registration of an interest or any change to that interest, by virtue of the fact that its availability for inspection by the public is likely to create a serious risk that any person may be subjected to violence or intimidation
- “bullying” means offensive, intimidating, malicious, insulting or humiliating behaviour based on abuse or misuse of power or authority which attempts to undermine

- “disrepute” means a lack of good reputation or respectability which can be reasonably regarded as reducing the public’s confidence in that member being able to fulfil their role or adversely affecting the reputation of members generally in being able to fulfil their role
  
- “significant person” in relation to personal and personal and prejudicial Interests means
  - a member of your family or any person with whom you have a close association; or
  - any body-
    - (1) of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
    - (2) exercising functions of a public nature;
    - (3) established for charitable purposes; or
    - (4) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management
  
- “wellbeing” means a condition of contentedness, healthiness and happiness. Anything that could be said to affect a person’s quality of life, either positively or negatively, is likely to affect their wellbeing. It is not restricted to matters affecting a person’s financial position
  
- “close association” means someone that you are in regular contact with over a period of time who is more than an acquaintance or colleague. It may be a friend, a business associate or someone you know through general social contacts. It is someone who a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects them.

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- “member of your family” means partner i.e someone you are married to, your civil partner, or someone you live with in a similar capacity, a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a brother or sister of your partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, and the partners of any of these people

## APPENDIX 3

### DISCLOSABLE PECUNIARY INTERESTS

This note explains the requirements of the Localism Act 2011 (Ss 29-34) in relation to disclosable pecuniary interests.

These provisions are enforced by criminal sanction.

They come into force on 1 July.

#### **1 Notification of disclosable pecuniary interests**

Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any ‘disclosable pecuniary interests’.

A ‘Disclosable Pecuniary Interest’ is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

<i>Interest</i>	<i>Description</i>
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Employment, office, trade, profession or vacation	An employment, office trade profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Council ) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contract	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the Council –</p> <p>(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the Council.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	<p>Any tenancy where (to M’s knowledge) –</p> <p>(a) the landlord is the Council; and (b) the tenant is body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where –</p> <p>(a) that body (to M/s knowledge) has a place of business or land in the area of the Council; and</p> <p>(b) either –</p> <p style="margin-left: 40px;">(i) the total nominal value of the securities</p>

exceeds £25,000 or one hundredth of the total issued share capital of that body; or  
(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means the person M referred to in section 30 of the Act;

“member” includes a co-opted member;

“relevant authority” means the Council of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) of the Act;

“relevant person” in relation to disclosable pecuniary interests means M or M’s spouse or civil partner or a person with whom M is living as husband and wife or a person with whom M is living as if they were civil partners;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000() and other securities of any description, other than money deposited with a building society.

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## **2 Dispensations**

The Standards Committee or Monitoring Officer [Council or Clerk] may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

## **3 Offences**

It is a criminal offence to

- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
- Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- As a Cabinet/Executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

**Guidance on Bias and Predetermination –This is not part of the code of conduct**

- Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you may participate in a decision on the issue in your political role as a member. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- When making a decision, consider the matter with an open mind and on the facts made available to the meeting at which the decision is to be taken.

## **APPENDIX B**

### **STANDING COMMITTEE & ADVISORY GROUP REMITS**

<b>Name of Standing Committee or Advisory Group</b>	<b>Number</b>
<b>Personnel and Protocol Committee</b>	<b>1</b>
<b>Planning and Licences Committee</b>	<b>2</b>
<b>Somerset Showcase Committee</b>	<b>3</b>
<b>Administration and Finance Advisory Group</b>	<b>4</b>
<b>Axbridge Promotional Advisory Group</b>	<b>5</b>
<b>Axbridge Youth Partnership</b>	<b>6</b>
<b>Cemeteries, Allotments and Open Spaces Advisory Group</b>	<b>7</b>
<b>Facilities Advisory Group</b>	<b>8</b>
<b>Highways Advisory Group</b>	<b>9</b>
<b>Leisure and Recreation Advisory Group (including changing rooms)</b>	<b>10</b>

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Axbridge Town Council      **Personnel and Protocol Committee**

Chairman and Committee Membership

Chairman: Mayor

Membership: Mayor, Deputy Mayor (ex officio), 2 (minimum) other councillors  
Restricted to council members.

Remit

Generally:

The committee has delegated power from the council to deal with all personnel and protocol matters except the appointment of the Clerk to the Council and final decisions on all awards.

If the committee is unable to make a clear decision on any matter or if members agree that an item is very controversial or of such importance, then they may refer the decision back to the council with or without a recommendation. A matter will be referred to Council for decision at the request of two, or more, members.

Members need to be aware that most personnel issues must be discussed in sessions where the public and press should be excluded by a resolution of the committee.

In detail, the committee:

- will carry out an annual appraisal of all the Council's employees and decide on changes to pay rates, conditions of service and job descriptions.
- will decide and agree a training scheme with all employees.
- will make all appointments of staff, except the Clerk to the Council, by advertising and interviewing candidates.
- will, in the case of the appointment of the Clerk, shortlist suitable candidates for the council to consider, with any agreed recommendations.
- will deal with all grievance and disciplinary matters in the first instance and should recommend that council appoint an Appeals Panel if it is likely to be necessary.
- will consider and make recommendations relating to the wellbeing of Council members, employees and volunteers appointed by council or the committee.

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- will decide on matters relating to ceremonial procedures, regalia, honorary officers, mayoral events, duties and associated matters.
- will manage the selection of appropriate persons for awards and the process of making the awards. The Committee will make nominations for awards but the final decision to put forward person(s) for an external award or to receive an award from the Council will be made by Council.

All decisions will be kept in line with the approved budget.

Adopted by Council on 19<sup>th</sup> June 2017 (minute43/17(b) refers)

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## **Axbridge Town Council**

### **Planning and Licences Committee (A standing committee of the council)**

#### Chairman and Committee membership

Chairman: to be elected by the committee at the first meeting each year.

Mayor (ex officio)

Deputy Mayor (ex officio)

3 (minimum) other councillors

#### Remit

##### Duties:

To meet as required (usually once or twice a month) to consider and give opinions on current planning applications and licence applications and to receive all planning related correspondence.

To produce minutes of the Committee meetings to inform Council of the decisions made.

##### Powers:

To make observations, recommend approval or raise objections on behalf of the Council with relevant authorities on small applications, i.e. those which relate to no more than one property. (An application which relates to more than one property should be determined by full council, unless the Council delegates the specific application to the planning committee for determination.)

To liaise with local authorities, service providers, other organisations and members of the public about small applications.

The committee will examine all large applications on behalf of the council and make recommendations to council on these. Very large applications will be dealt with directly by Council in accordance with the policy on the process of publicising and considering very large planning applications

The committee will consider all documentation, correspondence and financial matters relating to Neighbourhood Planning on behalf of the Council. It will make recommendations to and regularly inform the Council on these matters.

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The committee will deal with all correspondence relating to small planning applications and advise on all other planning related correspondence including strategic planning, the local development framework, minerals planning and affordable housing.

The Committee will deal with items relating to specific planning applications as delegated by Council

The committee will consider all other planning related matters raised by councillors and advise council accordingly.

The Committee will deal with all enforcement issues brought to the attention of the Council in accordance with agreed procedure and policy (Council: 15<sup>th</sup> April 2013 minute 216/12(c) refers)

The committee will deal with all questionnaires and surveys related to planning and development on behalf of the council.

The committee will respond to any Licence Applications relating to the sale of alcohol, entertainment and gaming.

The committee will respond to any Temporary Road Closure applications on behalf of the Council.

Any of the above matters considered to be particularly contentious by the Mayor, Chairman of the Planning Committee or Clerk should be referred to full Council for a decision.

If a properly called meeting of the committee is found to be inquorate at the start or becomes inquorate during the meeting the clerk has delegated powers, as defined in standing orders, which may be used.

Adopted by Council on 18<sup>th</sup> July 2016 (minute 48/16(c) refers)

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## **Axbridge Town Council**

### **Somerset Showcase Committee** (A standing committee of the council)

#### Chairmanship and Committee Membership

Chairman: to be elected by the committee at the first meeting each year

Mayor (ex-officio)

Deputy Mayor (ex-officio)

2 (minimum) other councillors

The Committee may co-opt up to 3 further members, who may, or may not be Town Councillors.

The Chairman is to be a member of the Town Council

#### Remit

- The Somerset Showcase Committee is responsible for the planning and management of an event on the first Saturday in September each year, to coincide with the regular Farmers' Market.
- The Showcase is to be both an entertainment and an occasion when local arts, crafts and produce, all typical of Somerset, may be presented to a wider public than Axbridge residents. The event is seen as a good opportunity to promote both the town and the local area to a wider audience.
- The Committee works in close co-operation with Sedgemoor District Council officers, who are responsible for many aspects of the event, including a high level of funding.
- The Showcase is not intended to raise funds either for the Council or any community or charity group. The event, subject to Sedgemoor District funding is expected to be largely self-financing from year to year.
- The Committee has powers of expenditure within a limit set each year by full Council and within any extra income generated by the event itself.
- The Committee will keep minutes, produce reports and recommendations to full Council as is deemed necessary.
- The Committee will provide template letters, booking forms and other correspondence necessary for the minimal involvement of the Town Clerk in setting up the Showcase. This material will be approved by the full Council on an annual basis.
- The Committee will be responsible for booking all participants in the Showcase and keeping accounts for approval by the full Council.

Adopted: 21<sup>st</sup> May 2007 (minute 20/07a)

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NB – at present, the Council is not responsible for the Showcase, which is organised by the Axbridge Chamber of Commerce. The remit is here for illustrative purposes, in case it needs to be resurrected.

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## **AXBRIDGE TOWN COUNCIL**

### **Administration and Finance Advisory Group**

#### Chairman and Group Membership

Chairman: to be elected by the group at the first meeting each year.  
Membership: Mayor (ex officio)  
Deputy Mayor (ex officio)  
1 (minimum) other councillor  
Clerk to the Town Council or the Responsible Financial Officer  
No co-options (except the Clerk or the Responsible Financial Officer).

#### Remit

To meet and report to council regularly.

To review the Administration and Finance Advisory Group remit and policies annually.

To monitor and advise the council on all aspects of financial management, book keeping, VAT, payroll and insurance as specified in Standing Orders and Financial Regulations including:

- Approving financial reports before presentation to council.
- Preparing budgets
- Checking and advising on changes to the asset register.

To monitor and advise on changes to all administrative systems with particular reference to

- the keeping of records both manual and computerised
- the resilience of systems and data backup
- and the policy on Data Retention, Storage and Destruction.

To maintain and recommend any changes relating to the Council's Standing Orders

To revise the risk assessment and management policies as necessary for council approval

To oversee the management of the web-site, the publication of Oyez and the management of the Community Stall

To examine current and future legislation affecting the council's administration systems including data protection, freedom of information and to advise on any changes to procedures that are required as a result.

To liaise with the District Council about their Parish Charter.

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To consider any complaints received about the administration of the Council or its procedures, in line with the Council's approved Complaints Policy and make recommendations to the Council accordingly.

Adopted: 19<sup>th</sup> June 2017 (minute refers)

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## **AXBRIDGE TOWN COUNCIL**

### **Axbridge Promotional Advisory Group**

#### Chairman and Group membership

Chairman: to be elected by the group at the first meeting each year. The Chairman to be a member of the Town Council

Mayor (ex officio)

Deputy Mayor (ex officio)

3 other councillors to comprise:-

1. the councillor responsible for the preparation of the Town Council website
2. the councillor responsible for the Town Council newsletter (“Oyez”)
3. the Axbridge-Houlgate Twinning Association Representative Councillor

The Group may co-opt up to 3 non-councillors (with the agreement of Council)

#### Duties

1. The group will make recommendations to full Council on aspects of publicising and promoting the work and role of Axbridge Town Council.
2. The group will be responsible for publicising the work and role of Axbridge Town Council and of other Axbridge community bodies, through the official Town Council website ([www.axbridge-tc.gov.uk](http://www.axbridge-tc.gov.uk)), the Town Council’s regular newsletter (“Oyez”) and through other occasional publications.
3. The group will liaise with local businesses and other appropriate bodies to promote Axbridge as both a commercial and a tourist centre.
4. The group will have no powers of expenditure, save as a result of a full Council resolution. It will produce a draft annual budget for consideration by the full Council.

Adopted: 17<sup>th</sup> October 2005 (minute 118/05)

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## **Axbridge Town Council**

### **Axbridge Youth Partnership**

(An advisory group of the council)

#### Chairman and Group membership:

Chairman: Deputy Mayor

Mayor (ex officio)

3 (minimum) other Councillors

People with experience or expertise in youth matters may be co-opted onto the committee (with the agreement of council).

People may be invited to attend meetings to advise on particular topics.

#### Remit

Aim: “To promote and develop the well being of the young people of Axbridge.”

The group will:

Listen to the needs of the young people of the Town, concentrating on those under 18 years of age.

Support the young people so they can live today in today’s world.

Liaise with the young people, youth organisations and their leaders in order that the Town council can provide support and resources for their leisure time and activities.

Endeavour to ensure that the young people of the Town receive all benefits due to them from central and local government.

Report back to the Town Council with recommendations and proposals agreed by the group.

Adopted: 15<sup>th</sup> January 2007 (minute138/06b)

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## **Axbridge Town Council**

### **Cemetery, Allotments and Open Spaces Advisory Group**

#### **Chairman and Group membership:**

Chairman: to be elected by the group at the first meeting each year.

Mayor (ex officio)

Deputy Mayor (ex officio)

2 (minimum) other councillors

People with experience or expertise in cemetery related matters may be co-opted onto the committee (with the agreement of council).

#### **Remit**

The group will:

#### **Cemetery**

Maintain the upkeep of the Cemetery to a high standard by carrying out general maintenance work, such as keeping the path clear of overhanging growth, burning of dead flowers and general tidying

Keep an up to date copy of the cemetery plan (usually held by the Clerk)

Liaise, if necessary, with undertakers or stone masons (usually carried out by the Clerk)

Ensure that safety checks are carried out on the headstones every two years.

Reviewing and making recommendations to the Council on the cemetery fees and charges

Reviewing and making recommendations to the Council on the Cemetery rules.

Discuss and consider any cemetery related correspondence or issues, as appropriate.

Note: The Clerk deals with the administration relating to the Cemetery, including the finances.

#### **Allotments**

Advise Council on compliance with legislation relating to allotments.

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Maintain the upkeep of the general allotment field to a high standard by arranging for general maintenance work to take place, using the Town Maintenance Contractor where possible.

Make recommendations to Council on repairs and improvements necessary to maintain the general allotment field, as appropriate, with recommendations being put to Council to agree the works and provide/obtain appropriate funding.

Recommend to Council any changes considered necessary to the Allotment tenancy agreement.

Ensure that all allotment holders are working their allotments and keeping them in a clean and tidy state, as per the tenancy agreement. To monitor the presence of injurious weeds on plots and to advise tenants to remove them.

Monitor water usage

Monitor and review the level of allotment rents and the associated expenditure.

Respond to issues and general correspondence and raise with Council when appropriate

**To work with the Clerk to:**

Ensure that the allotments register is kept up to date and that invoices are sent and rent received as appropriate

Ensure that all tenants sign a tenancy agreement

Monitor the waiting list for allotments

**OPEN SPACES**

Respond to general correspondence and raise issues with Council when appropriate.

Through the Clerk to task the Town Maintenance Contractor to carry out such work as thought appropriate.

Carry out tree management on land owned or occupied by the Town Council

Adopted: Council on 17<sup>th</sup> August 2015 (minute 72/15(b) refers)

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## **Axbridge Town Council**

### **Axbridge Facilities Advisory Group**

#### Chairman and Group membership:

Chairman: to be elected by the group at the first meeting each year.

Mayor (ex officio)

Deputy Mayor (ex officio)

3 (minimum) other councillors

People with experience or expertise in relevant matters may be co-opted onto the

Facilities Advisory Group (the Group) with the agreement of the Town Council (the Council).

People may be invited to attend meetings to advise on particular topics.

#### Aim:

The aim of the Group is to source facilities such as land, buildings, equipment or services which are required to fulfil policies established by the Council and advise on the future use of facilities already owned, leased or managed by the Council as specified in the remit shown below.

#### Duties:

The Group may investigate any land, buildings, equipment or services which may be of interest to the Council in the pursuance and fulfilment of policies established by the Council and stated within the remit of this document. Unless the remit agreed by the Council is specific, the Group is required to establish reasonable specifications for the facility being investigated. The Chairman of the Group or the Mayor may require any specification agreed by the Group to be presented to full Council for their approval if they consider that this would be appropriate.

The Group may seek specialist advice on the use, valuation or purchase of any land, buildings, equipment or services which they are tasked to investigate by the Council.

The Group may not enter into any agreement to purchase or lease any land, buildings, equipment or services.

#### Remit:

The Group is currently tasked to investigate the availability of, or advise the Council on, the following:

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1. Office facilities for use by the Clerk to the Town Council. These facilities may be shared by other users who are providing an appropriate service to the community as agreed by the Council.
2. Public toilet facilities within the Town.
3. An additional sports field area.

Adopted: Council on 18<sup>th</sup> August 2011 (minute 76/11(b) refers)

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## **AXBRIDGE TOWN COUNCIL**

### **Highways and Footpaths Advisory Group**

#### Chairman and Group membership

Chairman: to be elected by the group at the first meeting each year.

Mayor (ex officio)

Deputy Mayor (ex officio)

3 (minimum) other councillors

#### Remit

In general

- To make recommendations to Council on all matters relating to Highways, Footways, Rights of Way and Parking within the Town.
- To consider and to make recommendations on any issues relating to Highways, Footways, Rights of Way and Parking as instructed by Council.
- To liaise with other responsible authorities (Sedgemoor District Council, Somerset County Council, Avon and Somerset Police) on matters relating to Highways, Footways and Parking within the Town, or in the general locality, where any proposals may impinge upon the Town.
- To monitor the implementation of changes agreed by the Council in conjunction with relevant highways authorities.
- To provide to Council written reports of all the Group meetings to form part of the public record.
- Where appropriate to produce other relevant reports for consideration by Council.

Areas of responsibility include:

#### Roads & footways

- Surfaces, verges and hedges
- Speed restrictions
- Road safety
- Pedestrian crossings
- Street lighting
- Signage
- Bus stops
- On-street parking
- Traffic calming
- Cycle racks

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#### Rights of Way

- Footpath surfaces
- Way marking & signposts
- Styles & gates
- Litter
- Cycle ways

#### Axbridge Town Car Parks

- Parking regulations and enforcement
- Parking permits
- Signs
- Surfacing and line marking
- Boundary walls, fences and hedges
- Grass and trees
- Lighting
- Litter
- Drainage

Approved by Council on 18<sup>th</sup> July 2016 (minute 51/16(b) refers)

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## **Axbridge Town Council**

### **The Leisure and Recreation Advisory Group (to include Changing Rooms)**

#### Chairman and Group membership

Chairman: to be elected by the group at the first meeting each year.

Mayor (ex officio)

Deputy Mayor (ex officio)

2 (minimum) other councillors

#### Remit

#### Leisure and Recreation Duties of Responsibilities

To report and advise the Town Council on matters relating to the Furlong, the children's play area, and other recreation matters and the Public Toilets.

#### The Furlong

- Grass cutting
- Hedgerow maintenance
- Litter and dog mess.
- General safety
- Liaise with the Football Clubs, other users and the Furlong Manager

To maintain this facility as a recreation place for the general and visiting population of Axbridge.

#### The Children's Play Area

- To implement the recommendations of an approved safety inspector and ensure an inspection is carried out each year.
- To monitor the condition of the play equipment and surfacing on a regular basis and maintain them to a safe standard.
- To prioritise work and implement an equipment replacement programme advising the finance committee of budget needs.
- To utilise grants available for play areas
- To maintain the play equipment, safety surfacing, fencing, gates, seating and bins.
- Maintain grass cutting within the play area.
- To carry out emergency repairs as quickly and efficiently as possible.

#### Recreation Facilities

It is the remit of this advisory committee, on behalf of Axbridge Town Council, to try and find additional recreation land.

The Changing Room.

- To be responsible for the general upkeep and running of the changing rooms.
- To liaise with the Changing Room/Furlong manager.

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- To define the duties of the Manager- in consultation with the Personnel & Protocol Committee
- To oversee the financial business of the Changing Rooms.

The duties of the Changing Room and Leisure and Recreation Groups coincide with reference to the maintenance of the Furlong Field.

#### Public Toilets

- To monitor the condition of the facility and liaise with the Furlong/Facilities Manager
- To ensure the contractor is cleaning the facility at an acceptable level.
- To recommend deep/high cleans as and when appropriate
- To maintain the facility and recommend any potential improvements.
- To carry out emergency repairs as quickly and efficiently as possible.
- To ensure the facility is being locked every night, at a reasonable time and to ensure alternative arrangements are in place for holiday cover.

**Approved and Adopted by Council on 20<sup>th</sup> June 2016 (minute 33/16(c) refers)**

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## APPENDIX C

### Axbridge Town Council

#### INTERNAL FINANCIAL CONTROLS AND AUDIT.

As revised and adopted by the council on 18<sup>th</sup> August 2014 and revised on 20<sup>th</sup> April 2015 and 13<sup>th</sup> May 2016

Minutes:72/14(b), 215/14(e) refers and 13/16(f) refers

#### **Contents:**

<b>Section</b>	<b>Paragraph Number</b>
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#### **1. General overview.**

The financial year ends on the 31<sup>st</sup> March each year.

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The Town Clerk as Responsible Financial Officer will keep the records of accounts, manage the bank accounts and produce the required reports for council as per the diary.

The members of the Administration & Finance Advisory Group of the Council [A&F advisory group] will assist and advise the council and clerk on financial matters.

## **2. Receipts**

All receipts must be listed in the minutes, paid in to the bank current account and recorded in the accounting system.

Invoices will be issued with a request for the payment to reach the council within 30 days. There will be a regular check that payments have been received within this period. Reminders will be sent out relating to all overdue receipts.

The council will not maintain any form of cash float. All cash received must be banked intact.

## **3. Payments**

The clerk should check that all payments are lawful by recording the relevant section of the Act permitting the expenditure next to the payment record in the minutes. If relevant, all payments made under section 137 of LGA 1972 shall be authorised separately by a resolution of the council.

The procedure for making payments is set out below. There are three steps:

1. payments must be approved by the council and then recorded in the minutes,
2. approved payments must be authorised by two “payment signatories”,
3. authorised payments are made and entered in the accounts.

Methods of payment to be used must be agreed by Council annually. The methods available are ~~Direct Debit (DD), Standing Order (SO), Cheque, Bank Transfer and Debit Card~~. Cheque, Direct Debit, Standing Order, Debit Card and payments deducted directly by SDC from the precept before receipt.

As far as is allowed, regular payments should be paid by DD or SO. Invoiced, one-off payments should be made by Cheque, or, if cheques are not accepted, by Bank Transfer or Debit Card.

At the monthly council meeting councillors will receive, as part of the monthly financial report, a list of Direct Debit and Standing Order payments due the following calendar month and the invoiced payments. The list needs to be approved by council. (Council can decide not to approve payment of specified items on the list.)

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Before payments are made they must be authorised by two councillors who are on the list of payment signatories. For all payments except those to be paid by cheque, payment signatories should check and initial the invoice and sign and date the relevant item on the payment list as authorisation. For cheque payments the invoice is checked and initialed, the cheque signed and the cheque stub initialed.

Any urgent payments made since the previous council meeting without Council approval need to be ratified. These payments will be listed on the monthly financial report in a separate list and need specific retrospective approval by council. These items should have been authorised for payment as described above by two signatories.

#### **4. Payment Signatories.**

The Clerk will be a cheque signatory so that he/she is authorised by the bank to manage the accounts but will not sign cheques or payment authorisation lists. Payment signatories must be councillors. A list of councillors who are authorised to sign will be agreed annually by the council and must sign against their names on the list.

With the agreement of the council, several councillors who are not payment signatories will be delegated to check and sign the monthly bank reconciliation report. These councillors will put their signatures against their names on the list. (Only one signature is required on the report together with RFO.)

#### **5. Reports to members**

Regular reports from the accounting system are used to supply financial information to councillors and to manage the council's finances. Councillors should check these as it is ultimately their responsibility that the accounts are kept in order.

- (a) Quarterly summary reports of the accounts will be presented to council for adoption.

The reports will show, for the control accounts and budget headings, the expenditure last financial year, the budget for the current year and the receipts and expenditure to-date for the current year.

Reports will be issued showing the financial position at the  
end of June  
end of September (this will also show a draft budget for the following year.)  
end of December  
end of March (this will also show a reconciliation to the bank statements and will be signed by the Mayor and Clerk as the end of

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year statement).

- (b) Monthly reports will be sent to members of the A&F Advisory Group.

The group members will receive a report each month in time for checking before the monthly council meeting. The report will show for the control accounts and the budget headings, the expenditure last financial year, the budget for the current year, the receipts and expenditure to-date for the current year and an estimate of the total receipts and expenditure for the current financial year.

This report will provide the Clerk and the Advisory Group with information about possible over and under spends and as such is essential for managing the finances of the Council.

- (c) A financial transactions report will be sent out with councillors' agendas for the regular monthly council meetings.

Section 1 of the report shows a single line entry for each of the bank accounts and each of the Council's control accounts giving the balances. (The totals of the bank accounts and the control accounts should be the same.)

Section 2 shows all receipts since the last report.

Section 3 shows all payments (urgent payments) made since the last report but not shown on the last report, for ratification at the meeting,

Section 4 shows all payments requiring approval at the meeting. Approval will be required for all one-off payments to be made before the next meeting and all DD and SO order payments due the following calendar month.

This report will form part of the minutes of the meeting as modified and agreed by the council.

- (d) An authorisation report will be produced monthly in line with section 4 of the transaction report in the previous paragraph. All planned payment transactions will be listed together with columns for two payment signatories and dates of signing. This will be the authorization for payments to be made. (Cheque transactions do not require to be signed on this list.)

Any emergency payments, not specifically approved by council, should be added to the list and authorised on this list and they should appear on the transaction report for the following month for ratification.

- (e) A bank reconciliation report will be produced monthly for checking and

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signature by a delegated councillor.

The report will show the amount in each of the Council's control accounts and the total of these. It will show the amount given on the latest bank statement of each bank account and will list the transactions not shown on the bank statements which reconcile them to the total of the Council's control accounts. The report will be retained with the current account bank statement each month.

- (f) A report showing the budget for the following year will be issued to all councillors after the precept and budget have been agreed by council.

## **6. Reconciliation to the bank statements**

Every month a delegated councillor will check the information of the reconciliation report by reference to the bank statements, the previous month's reconciliation report, the monthly financial transactions report and the accounts. If the reconciliation is found to be correct then the report will be signed and dated by the delegated councillor and the clerk. Any problems will be reported to the A&F Advisory Group for investigation.

The delegated councillor will check:

- the balances on the report against the bank statements and bank books,
- that inter-account transfers are shown on both bank statements or recorded on the report correctly,
- that the amounts paid in on the current account statement agree with the paying-in book,
- that all amounts paid in but not on the statement are correctly shown on the report,
- that the amounts on the statement for cheque transactions agree with the cheque book stubs (marking the stubs and transactions on the statement),
- that the uncleared cheques are correctly shown on the report, including any from the previous month still not cleared,
- that amounts on the statement for none-cheque payments shown on the statements have been authorised correctly by reference to the Authorisation Report
- check that the receipts and payment transactions form part of the minutes.

## **7. Management of financial records.**

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The receipts and expenditure transactions will be managed and analysed by allocating them to budget headings which themselves are grouped into Control Accounts.

The Control Accounts will be

- The General Account
- The Changing Rooms & Furlong Operating Account
- The Car Parks Account
- The Maintenance Funds Account (R)

The funds in some accounts are restricted to a single purpose. Withdrawals may not be made on these accounts except for the specific purpose specified when creating the account in the first place. These accounts are shown with (R) after them.

All receipts and payments documentation will be filed in the appropriate Control Account folder. Within each folder the receipts and the payments will be numbered sequentially for each year. This number will also be shown in the accounting system for cross referencing purpose.

## **8, Donations and Grants made by Council.**

Generally grant applications can be placed in one of three categories.

Regular (Type A).

These are received from particular bodies (e.g. Victim Support and CAB) almost every year, sometimes more than once per year. Their requirements for financial support are not time dependent.

One-off, budgeted (Type B).

These are requests for financial help for specific projects to a deadline which allows them to be considered when the Council's budget is being prepared.

Miscellaneous (Type C).

These are requests for financial help for specific projects to a deadline which does not allow them to be considered for the following year's budget.

The Council's budget for grants should be split into three: budgets being set for types A,B and C applications separately.

Type A (Regular), applications should be collected during the year and all be considered at the same time. After consultation with the A&F Advisory Group, the Clerk should prepare a list of applications and suggested grants (which could be zero). The total of the grants should be in line with the Type A budget. The list should be presented annually to the Council for discussion, modification and final approval.

Type B (One-off, budgeted) applications should be approved by council and paid as  
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early in the new financial year as practical as agreed when the budget was set.

Type C (Miscellaneous) applications should be considered individually as received during the year and payments be made on a first come first served basis while there is unallocated money in the type C budget.

Applicants for type C grants should be encouraged to apply in time for them to be considered for budgeting for the following financial year (i.e. application by end of September, payment in April ) – so they become a type B application. Applicants should be advised that if this is not possible any grant will depend very much on what, if anything, remains of the current budget for miscellaneous grants.

The clerk should ask for all grant applications to be accompanied by evidence of good financial management eg the last financial year's audited accounts.

Note: these procedures do not cover the grants to the Town Trust for the Town Hall upkeep and for the Planters in the Square or for the Christmas Lights donation which are separate budget headings. However they could be incorporated into this system.

## **9. Budget and Precept**

A budget and precept report, as recommended by the A&F Advisory Group will be circulated with the agendas of the October meeting of the Council for consideration. Amendments agreed by council at the October meeting will be presented in a revised budget and precept report for adoption at the November meeting.

## **10. Management of the Bank Accounts**

The RFO will manage the bank accounts with guidance from council. The RFO has the authority to transfer funds between bank accounts as necessary. Except in exceptional circumstances all transfers will be made through the current account. (This will make the monthly reconciliation more straightforward.)

There will be a single current account (cheque account) and a short notice investment/deposit account for general use. The council may also have other bank accounts to invest funds for specific purposes or to increase income from interest payments.

## **11. Asset Register.**

The RFO will keep a register of all the assets of the council. All assets will have a valuation and an explanation of the valuation. The L&R Advisory Group will check

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the register annually and report this to council annually.

## **12. Risk Assessment**

The council will consider and approve the document annually after it has been checked and revised by the A&F advisory group.

## **13. Insurance**

The schedule of the insurance cover will be reviewed annually by the A&F advisory group. Any recommended changes to the cover will be reported to council for consideration.

## **14. Contracts**

[Based on NALC Model Financial Regulations]

Procedures as to contracts are laid down as follows:

- (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (vi) below:
  - (i) for the supply of gas, electricity, water, sewerage and telephone services;
  - (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
  - (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
  - (v) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of Council);
  - (vi) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.
- (b) Where it is intended to enter into a contract exceeding £20,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms to be taken from the appropriate approved list.
- (c) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason

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- shall be embodied in a recommendation to the Council.
- (d) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
  - (f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of Council.
  - (g) If less than three tenders are received for contracts above £20,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
  - (h) Any invitation to tender issued under this regulation shall contain a statement to the effect of Standing Orders 61, 63 and 64.
  - (i) When it is to enter into a contract less than £20,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £2,000 and above £250 the Clerk or RFO shall strive to obtain 3 estimates.

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

#### **15. Payments under contracts for building and other construction works.**

[Based on NALC Model Financial Regulations]

Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the Council.

Any variation to a contract or addition to or omission from a contract must be approved by the Council and Clerk to the Contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

#### **16. Orders and Payments delegated to the clerk.**

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The clerk has the authority to order and make payments for items that are required urgently up to the value of £250.00. This action will be ratified at the next council meeting. The clerk should check with the mayor, deputy mayor or member of the A&F advisory group before placing the order. For orders over £250.00 an emergency meeting of the Town Council should be called.

The clerk has the authority to authorise the purchase of minor items up to the value of £50.00 which are required by councillors or employees for their projects or duties. (This includes items placed on accounts set up with local suppliers.)

The clerk has the authority to place orders for office consumables keeping in mind the amount allocated to the Administration budget heading. The actual expenditure will be monitored monthly by the A&F advisory group.

## **17. VAT**

Vat returns will be made quarterly.

The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

## **18. Internal Audit**

The internal audit will be arranged for April or May every year.

Review of Effectiveness of Internal Audit will be carried out annually after the completion of the external audit. The following should be taken into account in the review and the answers recorded:

- 1 Council approved terms of reference or appointment?
- 2 Independent?
- 3 Competent?
- 4 Internal audit plan appropriate?
- 5 Plan approved?
- 6 Report to council?
- 7 Risk based?
- 8 Organisation understood?
- 9 Properly resourced?
- 10 Added value?
- 11 Forward looking?
- 12 Challenging?

## **19. External Audit**

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The Annual Return will be completed by the Clerk and presented to Council for approval annually.

## 20. Diary of Items to be considered by Council.

The following items should be considered at the regular monthly meetings (agenda items).

<b>Month.</b>	<b>Item</b>	<b>Responsible Body*</b>
April	End-of-year summary financial statement. Annual Report	A&F A&F
May	Internal auditors report and response. Annual return for external audit. Reserves Policy – Annual revision	A&F A&F A&F
June	Report on insurance schedule. Approve list of payment methods. Approve list of payment signatories. Approve list of members to check monthly bank reconciliations	A&F A&F A&F A&F
July	1 <sup>st</sup> quarter summary financial statement. Report on Asset Register.	A&F A&F
August	Cemetery fees	CAOS
September	Regular grant applications (Type A) Calendar of Meetings for year..	A&F A&F
October	Report on the review of system of internal control, financial regulations and audit. 2nd quarter Summary Financial Report, draft budget and precept.	A&F A&F
November	Final budget and precept report.	A&F
December		
January	3 <sup>rd</sup> quarter summary financial statement. Contract for Recreational Field grass cutting Contract for Play Area and strimming of Recreation Field Contract for Car Park Maintenance Contract for Cemetery Maintenance Contracts for Allotments Maintenance Review of Allotment Rents	A&F L&R L&R HAG CAOS CAOS CAOS
February	Risk assessment and management document – annual revision. Appointment of Internal Auditor.	A&F A&F

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March	Calendar of Meetings for year	A&F
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\*A&F = Administration and Finance advisory group

CAOS = Cemeteries, Allotments and Open Spaces advisory group

HAG = Highways advisory group

L&R = Leisure and Recreation advisory group

## **21. Review of the system of internal control.**

The A&F Advisory Group will review annually the system of internal control including the effectiveness of the internal audit and report to council.

## APPENDIX D

### Axbridge Town Council

#### Council Policies

##### **Contents:**

<b>Section</b>	<b>Responsible Committee/Group</b>	<b>No.</b>
Ad-hoc use of the Furlong – Charging Policy	Leisure and Recreation Advisory Group	1
Affordable Housing	Planning and Licences Committee	2
Cold Weather Policy	Highways Advisory Group	3
Complaints Procedure	Administration and Finance Advisory Group	4
Data Protection Policy	Administration and Finance Advisory Group	5
Data – Subject Access Request Form	Administration and Finance Advisory Group	6
Document Retention, Storage and Destruction Policy	Administration and Finance Advisory Group	7
Dogs on the Furlong	Leisure and Recreation Advisory Group	8
Dress Code	Personnel and Protocol Committee	9
Employer Discretions Policy	Personnel and Protocol Committee	10
Equal Opportunities Statement	Personnel and Protocol Committee	11
Farmers’ Market Community Stall	Administration and Finance Advisory Group	12
Financial Reserves Policy 2016-17	Administration and Finance Advisory Group	13
Freedom of Information Policy	Administration and Finance Advisory Group	14
Funding of Town Events	Personnel and Protocol Committee	15
Highways Policies	Highways Advisory Group	16
Livestock Policy	Cemeteries, Allotments and Open Spaces Group	17
Lone Working Policy	Personnel and Protocol Committee	18
Petition guidance	Administration and Finance Advisory Group	19
Planning Enforcement	Planning and Licences Committee	20
Press and Media Policy	Administration and Finance Advisory Group	21
Process of publicising and considering very large planning applications	Planning and Licences Committee	22
Publications Scheme	Administration and Finance Advisory Group	23
Sedgemoor Parish Charter	Administration and Finance Advisory Group	24
Trees – Management and Inspection Procedure	Cemeteries, Allotments and Open Spaces Group	25
Website Inclusion Procedure	Administration and Finance Advisory Group	26

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## **Charging Policy for Ad Hoc use of the Changing Rooms/Furlong**

**The charging policy for the ad hoc use of the changing rooms/furlong is as follows:-**

- £50 for any one day period
- £25 for any half day period
- The Council, on advice from the Leisure and Recreation committee, has the discretion to reduce or waive the fee for community activities or minimal use of the facility.
- Use for the Furlong alone cannot be charged as it is a public facility, unless such use is for a substantial organised event that restricts use of the field by members of the public.

**Adopted: Council on 17<sup>th</sup> February 2014 (minute 169/13(d) refers)**

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## Affordable Housing Policy

- The Town Council accepts that as a key rural settlement it has a duty to meet an assessed need for affordable housing. This assessment should also consider the infrastructure to support such housing e.g. schools, Doctor's surgery and parking.
- The housing must be in line with a creditable and provable assessed need and be for local people or people with a local connection.
- The housing should be sited on brown field / infill sites in the first instance and only outside the development boundary in exceptional cases.
- Any housing should be in line with the neighbourhood plan which is currently being produced.
- Before any negotiations with landowners are entered into by Sedgemoor District Council, the Town Council and thus the Neighbourhood Plan group should be consulted in the first instance for their opinions.
- The Town Council should seek land within the development boundary for affordable housing

Adopted by Council on 6<sup>th</sup> June 2016 (minute P23/16 refers)

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## **AXBRIDGE TOWN COUNCIL COLD WEATHER POLICY –MARCH 2013**

This policy outlines the actions which the Town Council will undertake to counteract the effects of severe (cold) weather in the Axbridge.

These measures are intended to complement road gritting and salting carried out as a matter of course by Somerset County Council, and it is not the intention of the Town Council to replace services which are currently provided by other councils.

In the following text “grit” refers to the salt and grit provided by Somerset County Council to grit the road network.

A Coordinator will be nominated by the Town Council to act as the administrator of this policy. This will normally be the Town Clerk, although a deputy will be available to take the Clerk’s place when necessary. Whoever acts as Coordinator will ensure that a deputy is in place when they are not available.

### **Grit supplies**

The bus route through Axbridge is part of Somerset’s Precautionary Salting Network. However, the Town Council will ensure a stock of grit sufficient to treat key points in the road infrastructure within the town at residents’ request. At least nine 20kg bags or equivalent are recommended.

The stock of grit will be stored at the Lengthsman’s property, with his kind permission.

The Town Council also provides grit bins at the bottom of Chestnut Avenue and opposite the bottom of Horn’s Lane on High Street/West Street, both of which will be filled by Somerset County Council.

The Coordinator will check the quantity of grit in stock in October/November, and any new supplies will be requested and picked up as necessary from Somerset County Council. The Coordinator will arrange transportation to Axbridge either by Somerset County Council or by local volunteers.

### **Distribution of grit**

When supplies of grit are requested by residents, the Coordinator will gain the agreement of a Town Councillor, and request that local volunteers (including Town Councillors) move the supplies as necessary, but will not be directly responsible for the physical transportation, distribution or spreading of grit.

The grit will be put in place to be distributed by volunteers/residents as and when required, and is only to be spread on public highways/footways (i.e. not private land).

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The Coordinator will not be responsible for monitoring weather conditions. When severe weather has passed, the Coordinator will request that volunteers move any remaining supplies back into storage.

#### **Communication & Coordination**

The Coordinator will be the Town Council's main point of contact, and will co-ordinate the supply and distribution of grit on behalf of the Town Council.

The October or November edition of the Oyez newsletter will contain details of the Town Council's role and emergency contact numbers for the Coordinator and Somerset County Council.

The Coordinator will verify emergency contact details for Somerset County Council (or equivalent body) before publication of Oyez.

END

Adopted by Council on 18<sup>th</sup> March 2013 – minute 201/12(b) refers

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## **Axbridge Town Council**

### **Complaints Procedure**

The following procedure, as adopted by the Council, should be followed if a complaint is received about the administration of the Council, or its procedures.

#### **Before the Meeting**

1. The complainant should be asked to put the complaint about the council's procedures or administration in writing to the clerk or other nominated proper officer.
2. If the complainant does not wish to put the complaint to the clerk or other proper officer, they may be advised to put it to the chairman of the council.
3. The clerk shall acknowledge the receipt of the complaint and advise the complainant when the matter will be considered by the council or by the committee established by the council for the purposes of hearing complaints.
4. The complainant shall be invited to attend the relevant meeting and bring with them such representative as they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence, which they wish to refer to at the meeting and the identity of the representative, if any, to attend with them and the capacity in which that representative will be attending. The council shall similarly provide the complainant with copies of any documentation upon which they wish to rely at the meeting.

#### **At the Meeting**

6. The council or the established complaints committee shall at any point consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council or complaints committee meeting in public.
7. Chairman to introduce everyone.
8. Chairman to explain procedure.
9. Complainant (or representative) to outline grounds for complaint.

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10. Members to ask any question of the complainant.
11. If relevant, clerk or other proper officer to explain the council's position.
12. Members to ask any question of the clerk or other proper officer.
13. Clerk or other proper officer and complainant to be offered opportunity of last word (in this order).
14. Clerk or other proper officer, complainant and representative and the press and members of the public to be asked to leave room while Members decide whether or not the grounds for the complaint have been made. Alternatively, if more convenient, the Members will withdraw to a meeting room to consider the matter. (If a point of clarification is necessary, all parties to be invited back to reconvene the meeting).
15. Clerk or other proper officer and complainant and representative and the press and members of the public return to hear decision, or to be advised when decision will be made.

**After the Meeting**

16. Decision confirmed in writing within seven working days together with details of any action to be taken.

17 Minutes will be agreed at the next meeting of the Council or the Complaints Committee.

Adopted by Council: 21st March 2011 (minute 189/10(c)) Axbridge Town Council

Revised and adopted: 16<sup>th</sup> February 2015 (minute 178(b)/14)

# **Axbridge Town Council Data Protection Policy**

## **1. Introduction**

- 1.1 The 1998 Data Protection Act has been in force since 1 March 2000. Axbridge Town Council supports the objectives of the Act and will comply with it.
- 1.2 The purpose of this policy statement is to state the Town Council's commitment to maintaining the confidentiality of personal information within its record systems, which is required by the Act.
- 1.3 The Data Protection Act 1998 also allows individuals to make a data subject access request. In such a case an individual is entitled to receive, in an intelligible form, all information held relating to them. There is an application form, which must be completed, and the maximum fee that can be charged is £10.00. For further information contact the Data Protection Officer.
- 1.4 The obligations contained in this policy statement apply to both Council Members and employees.

## **2. Policy**

- 2.1 Axbridge Town Council is committed to maintaining the strictest level of confidentiality for any personal data it is responsible for processing. The Town Council will only process or disclose personal data for purposes necessary for Town Council business and for purposes that have been notified to the Data Protection Commissioner. The Town Council will adhere to the Principles outlined in the Data Protection Act 1998.
- 2.2 The eight principles are:
  - i) Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless:-
    - ◆ at least one of the conditions in Schedule 2 is met, and
    - ◆ in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met.
  - ii) Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
  - iii) Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.

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- iv) Personal data shall be accurate and, where necessary, kept up to date.
- v) Personal data processed for any purpose or purposes shall not be kept for longer than necessary for that purpose or those purposes.
- vi) Personal data shall be processed in accordance with the rights of data subjects under this Act.
- vii) Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- viii) Personal data shall not be transferred to a country or territory outside of the European Economic Area, unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

2.3 The Town Council carries out its affairs in an open manner. Apart from exceptional circumstances as outlined in the Act, the Town Council will provide information about a data subject on request. Where a data subject asks the Town Council for access to data, the request must come on a Subject Access Request Form and with the fee set by the Council in accordance with the Act. The Subject Access Request Form, which has been made available on the Town Council website ([www.axbridge-tc.gov.uk](http://www.axbridge-tc.gov.uk)), must be returned to the Data Protection Officer.

2.4 The Council will try to hold only the minimum data necessary to perform its business and will erase or destroy the data in such a manner that confidentiality is maintained. The Council will try to ensure that data is accurate and up to date and will correct inaccuracies without unnecessary delay.

2.5 Axbridge Town Council reserves the right, in exceptional circumstances, to deviate from this policy, only after having taken the advice of the Monitoring Officer.

### **3. Definitions**

3.1 **Personal Data:** any data that relates to a living individual who can be identified from that data. This includes any expression of opinion about the individual and any indication of the intentions of the Town Council in respect of that individual.

3.2 **Processing:** in relation to information or data, means obtaining, recording or holding the information or data or carrying out set operations on it including disclosure.

3.3 **Data Subject:** an individual who is the subject of personal data.

Adopted by Council: 21<sup>st</sup> June 2010 (minute 26/10(f) refers)

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**AXBRIDGE TOWN COUNCIL**  
**DATA PROTECTION ACT 1998**  
**SUBJECT ACCESS REQUEST FORM**

To enable Axbridge Town Council to deal with this request promptly and in accordance with its statutory obligations, please complete the following information and return with the fee to The Data Protection Officer, Axbridge Town Council, PO Box 1184, Axbridge, Somerset, BS26 2WJ

1. Applicant's Full Name			
Address			
Postcode		Tel. No	
Date of Birth (dd/mm/yyyy)		Mobile	
2. Are you:			
a) the Data Subject?		Yes/No	
b) a representative of the Data Subject with written authority from them?		Yes/No	
<p>If you answered "Yes" to a), please go to section 4.                  If you answered "Yes" to b), please attach a copy of the authority letter and fill in the Data Subject's details in section 3.                  If you answered "No" to b), please complete the following:</p>			
Your relationship to the Data Subject			
What evidence you have to confirm your entitlement to act for the Data Subject			
3. For use by representatives of the Data Subject <b>ONLY</b>			
Data Subject's Full Name			
Address			
Postcode		Tel. No	
Date of Birth (dd/mm/yyyy)		Mobile	

<p>4. Please enclose TWO documents that clearly show your name, date of birth and address. E.g. a birth/adoption certificate, driving licence, medical card or passport.          Failure to provide this proof of identity may delay your application.          I hereby formally apply for a copy of personal data (as defined by the Data Protection Act 1998 under Section 7(1) ) held by the Town Council for:-</p>			
a)myself		{ Please delete as { appropriate	
b)the Data Subject (shown in Section 3)			
<p>I am aware that the fee for applications is £10 and enclose the fee to cover this application (cheques to be made payable to Axbridge Town Council)</p>			
<p>5. I understand that it may be necessary for the Council to obtain more information from me before the extraction of the personal data can start and until the Council has all the necessary information the statutory response period does not commence.</p>			
Signed:		Date:	

Adopted by Council: 21<sup>st</sup> June 2010 (minute 26/10(f) refers)

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# **Axbridge Town Council**

## **Document Retention, Storage and Destruction Policy.**

*Currently this is a working document to be altered and expanded from experience and the increase in knowledge during the implementation and establishment of the policy.*

*This policy will be agreed by council and implemented by the clerk to the council as and when updated.*

### **Scope.**

For the purpose of this policy a **document** is a generic term and covers:

- all correspondence, i.e. paper letters, emails on electronic media, and
- all other paper records and files held on electronic media.

Some documents may be held as both as paper copies and electronic files.

The policy covers documents belonging to the council or needing to be retained by the council.

### **Grouping of Documents and storage.**

The policy will refer to various groups of documents which are stored together.

The method of storage of a group of documents will depend on some or all of the following factors:

- Importance of the document
- Business area of document
- Paper based or electronic
- Length of retention
- Physical size of paper items.

Paper documents:	will be stored in folders within Fire Proof filing cabinets or Metal filing cabinets
Electronic documents:	emails and other documents will be stored on the hard drive of the council's computer in electronic folders (and backed up on-line)

### **Areas of Business.**

All documents should be filed within specified areas of council business. These areas of business will reflect the committee and advisory group structure of the council. This policy will follow the same business structure.

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**Administration & Finance**

(CRO = County Records Office)

<b>Document Group</b>	<b>Filing</b>	<b>Retention Period (Minimum) or Policy</b>	<b>Destruction or Disposal Policy</b>	<b>Reason/Notes</b>
Council and committee minutes, signed (including all attached papers)	Paper: Fire proof cabinet – folder per year	12 years	CRO every 4 years	
	Electronic copies. – folder per year	3 years	Delete	
Leases	Fire proof cabinet	6 years after end.	CRO	
Reference Documents				
Paid Invoices and their Cheques Recorded Receipts Bank Statements	Paper: File per financial year. Current year and previous year in Fire Proof Cabinet	6 years after year end	Shred	
General Correspondence	Paper: File per calendar year.	2 years plus current year.	Shred	
	Email & Electronic copies -folder per year	2 years plus current year	Delete.	

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**Allotments Cemeteries and Open Spaces**

<b>Document Group</b>	<b>Filing</b>	<b>Retention Period (Minimum) or Policy</b>	<b>Destruction or Disposal Policy</b>	<b>Reason/Notes</b>
Allotment holders and accounts books	Fire proof cabinet	Current and Previous Book	CRO of earlier books	
Allotment Map	Fire proof cabinet	Retain	-	
Correspondence	Paper: Filing cabinet – folder per year	4 years	Shred	Contains Names etc.

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**Highways (including Car Parks)**

<b>Document Group</b>	<b>Filing</b>	<b>Retention Period (Minimum) or Policy</b>	<b>Destruction or Disposal Policy</b>	<b>Reason/Notes</b>
Correspondence on current issues		Retain	n/a	
Correspondence on closed issues	Filing Cabinet – folder for year of closure	3 years	Shred	
	Emails – folder for year of closure	3 years	Delete	
	Electronic docs. – folder for year of closure	3 years	Delete	
Reference items (Maps, plans etc.)	Filing Cabinet or Electronic folder	Retain latest	Recycle or delete	
Councillors’ group meeting reports	Filing Cabinet or Electronic folder (Folder for each year)	3 years	Shred or delete	

**Leisure and Recreation (including Changing Rooms and Public Toilets)**

<b>Document Group</b>	<b>Filing</b>	<b>Retention Period (Minimum) or Policy</b>	<b>Destruction or Disposal Policy</b>	<b>Reason/Notes</b>

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**Personnel and Protocol**

**Planning and Licensing.**

<b>Document Group</b>	<b>Filing</b>	<b>Retention Period (Minimum) or Policy</b>	<b>Destruction or Disposal Policy</b>	<b>Reason/Notes</b>
Planning Applications and associated documents.	Papers: Filing Cabinet by Reference Number (List to be kept for quick reference.)	Retain for one year after final decision except for controversial or large developments. (Destruction of these decided individually by committee)	Shred	Contain names etc. Documents may be viewed on-line at Sedgemoor DC

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**Notes.**

All rough notes made at meetings should be destroyed(shredded) after minutes have been approved.  
All voting papers from meetings to be shredded as soon as possible after meeting.

Councillor M Taylor (07/04/2014)

AUGUST 2017

## **Policy for the Control of Dogs on the Furlong**

**The Policy for the control of dogs on the Furlong is as follows:**

- No dogs in the play area
- Dogs to be on a lead at all times on the Furlong/recreation field.

**Adopted: Council on 17<sup>th</sup> February 2014 (minute 169/13(e) refers)**

AUGUST 2017

Dress Code Policy

The Council adopted the following Dress Code Policy on 20<sup>th</sup> February 2012 (minute 179/11(c) refers)

“All members and officers are required to wear smart dress when attending public meetings and events in their capacity as a representative of the Town Council”.

AUGUST 2017



Looking  
forward to your  
retirement

# Axbridge Town Council Discretions Policy

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**The LGPS Regulations 2013**

and

**The LGPS Regulations 2014**

(Transitional Provisions and Savings)

and

**The LGPS Regulations 2008**

(Benefits, Membership and Contributions)

**Employer name: Axbridge Town Council**

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**Policy effective from:** 20<sup>th</sup> June 2016 (minute 36/16(b) refers)

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These policies may be subject to review from time to time. Affected employees will be notified of any subsequent change to this Policy Statement.

**Signed on behalf of: Axbridge Town Council**

**Signature of authorised officer:** V Brice

**Date:** 20<sup>th</sup> June 2016

**Print name of authorised officer:** Victoria Leah Brice

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**Job title:** Town Clerk and Responsible Financial Officer

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## LGPS 2013 & 2014 discretions

### Regulation R16 (2) (e) and R16 (4) (d)

#### Shared Cost Additional Pension Scheme

An employer can choose to pay for or contribute towards a member's Additional Pension Contract via a Shared Cost Additional Pension Contract (SCAPC)

### Policy decision

The Council would always consider the possibility – following consultation with the Personnel and Protocol Committee/Council.

### Regulation R17 (1) and TP15 (1) (d) and A25 (3) and definition of SCAVC in RSch 1

#### Shared Cost Additional Voluntary Contribution Arrangement

An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution arrangement entered into on or after 1 April 2014 through a shared cost AVC.

An employer can choose to pay for or contribute towards a member's Additional Voluntary Contribution arrangement entered into **before** 1 April 2014 through a shared cost AVC.

### Policy decision

The Council would consider the possibility but would take advice before opting and following consultation with the Personnel and Protocol Committee/Council.

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### **Regulation R30 (6) and TP11 (2)**

#### **Flexible Retirement \*\***

Employers may allow a member from age 55 onwards to draw all or part of the pension benefits they have already built up while still continuing in employment. This is provided the employer agrees to the member either reducing their hours or moving to a position on a lower grade.

In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds or a member has protected rights.

### **Policy decision**

The Council does not give blanket consent for staff in the LGPS aged 55 or over to flexibly retire and draw immediate payment of pension benefits. Requests will be referred to the Personnel and Protocol Committee/Council and assessed on their merits taking into account such factors as cost and service delivery.

### **Regulation R30 (8) , TP3 (1), TPSch2, Para 2(1), B30 (5) and B30 (A) (5)**

#### **Waiving of actuarial reduction**

Employers have the power to waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members' benefits paid on the grounds of flexible retirement.

Employers may also waive, on compassionate grounds, the actuarial reduction (in whole or part) applied to members' benefits for deferred

### **Policy decision**

This may be exercised by the Personnel and Protocol Committee/Council in individual cases on compassionate grounds. Individual circumstances will be looked at according to the dictionary definition of compassion – “inclined to pity or mercy”.

members and suspended tier 3 ill health pensioners who elect to draw benefits on or after age 60 and before normal pension age.

Employers also have the power to waive, in whole or in part, the actuarial reduction applied to active members' benefits when a member chooses to voluntarily draw benefits on or after age 55 before age 60.

#### **Regulation TPSch 2, para 2 (2) and 2 (3)**

##### **Power of employing authority to 'switch on' the 85 year rule**

An employer can choose whether to switch on the 85 year rule for members who voluntarily retire on or after age 55 and before age 60.

An employer can also choose to waive, on compassionate grounds, the actuarial reduction applied to benefits for a member voluntarily drawing benefits on or after age 55 and before age 60.

#### **Policy decision**

This may be exercised by the Personnel and Protocol Committee/Council in individual cases on compassionate grounds. Individual circumstances will be looked at according to the dictionary definition of compassion – "inclined to pity or mercy".

#### **Regulation R31**

##### **Power of employing authority to grant additional pension**

An employer can choose to grant additional

#### **Policy decision**

The Council will not exercise this discretion either in addition to or as an alternative to augmentation.

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pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,500\* per annum). (\*the figure of £6,500 will be increased each April under Pensions Increase Orders)

**\*\* Flexible Retirement – Please note that if you wish to offer your members the option of flexible retirement, you will need to formulate a separate policy (please see Guidance Notes)**

<b>Policies not required but recommended:</b>	
<b>R22 (8) (b)</b> - Whether to extend the 12 month option period for a member to elect that post 31st March 2014 deferred benefits should not be aggregated with a new employment	
<b>R22 (7) (b)</b> - Whether to extend the 12 month option period for a member to elect that post 31st March 2014 deferred benefits should not be aggregated with an ongoing concurrent employment	
<b>R100 (6)</b> - Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS	The Council will allow an option to transfer-in previous pension rights except in cases involving potential early retirement and consequent capital costs.
<b>R9(1) &amp; R9(3)</b> - Determine rate of employees' contributions and when the contribution rate will be assessed	The Council will allocate employees to the appropriate contribution rate according to pay band at 1 April each year and adjust only where there is a contractual change during the year.

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## LGPS 2008 discretions

To cover scheme members who ceased active membership on or after 1 April 2008 and before 1 April 2014 (no need to complete if not applicable).

### Regulation B18

#### Flexible Retirement \*\*

Employers may allow a member from age 55 onwards to draw all or part of the pension benefits they have already built up while still continuing in employment. This is provided the employer agrees to the member either reducing their hours or moving to a position on a lower grade.

In such cases, pension benefits will be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds or a member has protected rights.

### Policy decision

### Regulation B30

#### Choice of early payment of pension

**B30 (2)** Employers can also allow the early payment of deferred benefits to former members of the LGPS between the ages of 55 and 59.

**Please note where a deferred member left the LGPS before 1 April 2008 the employer policy under the 1997 regulations will apply.**

**B30A(3)** Employers may also grant an application for reinstatement of a suspended tier 3 ill health pension on or after age 55 and before age 60.

**B30 (5) and B30A (5)** In such cases, pension

### Policy decision

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benefits will be reduced in accordance with actuarial tables unless the employer waives reduction on compassionate grounds or a member has protected rights.

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Axbridge Town Council  
Equal Opportunities Statement

“The Council strives to operate a policy of non-discrimination with equal opportunities for all”

This Equal Opportunities Statement was adopted by the Council on 16<sup>th</sup> June 2003

Signed:

Mrs V L Brice  
Axbridge Town Clerk

AUGUST 2017

## **Axbridge Town Council**

### **Council policy on Farmers' Market Community Stall.**

#### **Background.**

Somerset Farmers' Markets have kindly let the Town Council have space for a stall to display information about the Council and space where the public can meet with councillors (without charge). The stall may also be shared with other organisations who wish to inform the local community of their activities.

The market day manager is keen that there is control over the use of the community stall so that the spirit of the market is maintained. "The Market is about giving customers and traders the chance to meet and to enjoy the products and to avoid conflict (e.g. two traders selling the same products)."

The Town Council has therefore set the following guidelines for organisations wishing to share the stall. These guidelines will be issued to all users and potential users of the stall.

#### **Guidelines.**

Organisations wanting to use the community stall should contact the Town Council giving details when and why they wish to use the stall (e.g. for selling tickets for the next theatre production). The Town Council will give permission if there is room and if the conditions given below are met.

The Town Council will need to consider whether the aims of organisations wishing to share the stall are in line with council policy as it will be automatically assumed by the public that the council supports any organisation sharing its stall.

If the Town Council has any concerns about use of the stall it will liaise with the market management. The Town Council will inform the market management which organisations will be sharing the community stall each month.

Organisations should be local voluntary bodies or charitable bodies represented locally.

Local Government, the Emergency or Health Services would be allowed space to disseminate information relevant to local people.

No purely political or religious organisations can use the stall.

Generally, only one organisation would be allowed to share the stall with the council. Also, organisations would not normally be allowed to share at two consecutive markets. Leaflets from other organisations not attending the stall may be allowed, space permitting.

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There will be no sale of goods from the stall. Raffle tickets, or tickets for events from local organisations may be sold.

Surveys and handing out of leaflets are acceptable at the stall. Petitions on behalf of bodies other than Axbridge Town Council are not allowed.

Members of the public cannot be approached or harassed in anyway by those running the community stall.

The market management and the Town Council, have the right, before or at the market, to stop an organisation using the community stall.

**Adopted by Axbridge Town Council at its meeting held on 15<sup>th</sup> February 2016 (minute 164/15(c) refers)**

AUGUST 2017

# Axbridge Town Council

## Financial Reserves Policy for 2017-2018

### Introduction.

This document outlines the procedures to be adopted and actions to be taken if the Town Council finds itself in the situation where planned income is not received or there is overspend for whatever reason.

General advice is that the council should be able to call on reserves which would allow revenue payments to be made for at least three months and for a maximum of one year. The council policy is to identify reserves to cover six months expenditure.

### Financial Position.

The budgeted revenue payments for the current financial year are:

General Ac.	£98,500	
Changing Rooms Ac.	£3,300	
Car Park Ac.	£5,300	Total £107,100

Therefore, the aim is to identify reserves of at least : **£54,000**  
(6 months expenditure)

### Policy.

Emergency funding should be taken from the identified sources in the following sequence if available:

#### Unallocated reserves

Start of year unallocated funds (underspend previous year)	£5,900
Working capital (budgeted in precept)	£21,000

**Total: £26,900**

#### Allocated reserves

Long term Maintenance funds	£15,700
Furlong Car Park extension project fund	£6,500
Purchase of Recreation Field fund	£500
Facilities for disabled in Play Area fund	£500

Footpath Cross Lane	£500
Parking Provision	£1,000
Street Lighting	£1,000
Projector	£700
Bins and Benches	£600

**Total: £27,000**

The shortfall, can also be made up by delaying payment of grants:

**Total: £8,590**

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Reliance on allocated reserves will be reduced by increasing working capital and/or setting aside specific funds as unallocated reserves in future budgets.

Approved and Adopted by Council on 19<sup>th</sup> June 2017  
refers)  
(06/06/2017)

(Minute: 39/17(d)

AUGUST 2017

## **Axbridge Town Council Freedom of Information Policy**

### **4. Introduction**

Axbridge Town Council has adopted the Model Publication Scheme with effect from 1st December 2008. This scheme will enable members of the public to view and access information held by the Town Council.

### **5. Obtaining Information and Information held**

There are three ways to obtain the information:

- Town Council web site ([www.axbridge-tc.gov.uk](http://www.axbridge-tc.gov.uk))

The web site holds the type of information which the Council routinely publishes e.g. minutes and agendas. The information you want may already be included in the publication scheme – so please check the documents on the website first.

- Inspect Documents held by the Clerk

If you wish to view certain documents, you should contact the Clerk, either via the facility on the web site or by telephone, or in writing. Some documents require some time to locate, so it may be necessary to make an appointment.

- Individual Written Request

If the information is not included in the publication scheme or on the web site, you may send a written request to

- The Town Clerk, Axbridge Town Council, PO Box 1184, Axbridge, Somerset, BS26 2WJ
- Your request must include your name, address for correspondence, and a description of the information you require.

### **6. Town Council's Response to a Written Request**

Within 20 working days of receipt of your written request the Town Council will:

- confirm to you whether or not it holds the information
- advise you if a fee will be charged
- provide you with the information (after any relevant fee has been paid) unless an exemption applies (see 'Exemptions' paragraph below).

### **7. Fees**

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The Act only allows the Town Council to charge for answering Freedom of Information requests in the following circumstances:

1. Disbursement costs such as printing, photocopying and postage; and
2. When estimated staff costs involved in locating and or compiling the information exceed £450. Under these circumstances, the Town Council can refuse the request on the grounds of cost, or charge the applicant £20 per hour, plus disbursements for the estimated work.

For the majority of requests, or a series of requests from the same applicant within a 12 month period, it is expected that the charge for locating and compiling information will be less than £450 and therefore, except for disbursement costs, no reimbursement can be sought. However, where costs are estimated to exceed £450 (based on an hourly charge-out rate of £20), the Town Council can decide to:

- refuse the request; or
- comply with the request and charge for allowable costs as prescribed in the regulations; or
- comply with the request free of charge.

If the estimated cost of a request is more than £450, and it is decided to release the information and make a charge for the information then:

- A fee notice will be sent to the applicant requesting the appropriate fee.
- The request will not be answered until the fee has been received.
- If the actual cost of completing the request is more than the estimate then the Town Council will incur the additional cost.
- Where the cost is less than the estimated cost then the difference will be refunded to the applicant.

For disbursements costs, the Town Council will charge as set out in the **Guide to Information available under the Publication Scheme** on the website.

## **8. Exemptions**

Some information may not be provided by the Town Council as there are 23 exemptions in the Freedom of Information Act, for example, personal data about individuals which is protected by the Data Protection Act 1998, or commercially confidential information.

## **9. Further Help**

If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Town Clerk (address as before).

You will also find more detailed guidance on the website of the Information  
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Commissioner.

## **10. Complaints**

If you are dissatisfied with the response from the Town Council then you should put your complaint in writing to the Town Clerk at the address above. If you are still dissatisfied, you may contact the Information Commissioner via the website at [www.ico.gov.uk](http://www.ico.gov.uk) or write to:

Customer Services Team  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF  
Tel: 01625 545700

Adopted by Council: 21<sup>st</sup> June 2010 (minute 26/10(f) refers)

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## **Funding of Town Events**

It is the policy of the Council that it does not fund events organised by independent town groups but would consider the funding of one-off specific items.

This policy to be reviewed annually.

Adopted: Council 16<sup>th</sup> November 2009 (min 126/09(d) refers)

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## Highways Advisory Group Policies

***Adopted by Council on 17<sup>th</sup> July 2017 (minute no. 56/17(b) refers)***

### **HIGHWAY IMPROVEMENTS**

The council has agreed that there should be:

- a) Improvements to the pedestrian route from Axbridge Town Car Park to the Square to direct and encourage visitors along a safe route.
- b) A speed limit of 40mph on the Axbridge by-pass.

### **OFF-STREET PARKING**

#### **Parking provision for developments**

- a) The Town Council requests that Sedgemoor District Council ensures that all new dwellings should be provided with at least two off-street parking places, with the exception of one bedroom flats where a single space per dwelling may be provided as a minimum.
- b) Developers of existing sites should be requested to take every opportunity to reduce the need for on-street parking, e.g. by considering the inclusion off-street parking for the development and for properties neighbouring the site.

### **ON-STREET PARKING**

#### **Parking in the Square**

The Town Council requests the appropriate authorities to support the following principles:

- a) Parking in the Square should be primarily for shopping and short-term business visits.
- b) The layout of the parking in the Square should minimise the need for people to walk in front of parked vehicles. People and vehicles should be separated as far as possible.
- c) A single disabled bay should be provided in the Square.
- d) The layout of parking should provide an easy route for buses and safety for those using the buses.
- e) Lorries and vans delivering to businesses should be encouraged, where possible, not to park and unload in the Square.

#### **Parking (generally)**

The Town Council requests the appropriate authorities to support the following principles:

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- a) Take note of the Town Council's regular review of opportunities to increase parking provision in the Town.
- b) Street parking should be allowed where it does not cause a hazard and the available road width is not reduced such that emergency vehicles encounter access problems.
- c) Street parking should be allowed to act as a traffic calming measure except where adjoining footways are narrow.
- d) Car parking should not be allowed where this would hinder public transport services.
- e) Verge and footway parking should be discouraged.
- f) Road side parking bays should be introduced where physically possible.

### **Enforcement of On-Street Parking (including the Square)**

The enforcement officers should act on illegal parking, including verge and footway parking, throughout the Town on a regular basis.

## **PUBLIC TRANSPORT**

The Town Council's view is:

### **In General**

- a) Currently buses provide the only practical public transport system but the council would support any others that could be provided.
- b) Residents and visitors to the town should be encouraged to use the bus services.
- c) The route for the buses through the town should provide easy access for all residents wishing to use them.
- d) The council will endeavour to see that the bus route is kept clear of congestion.
- e) The council will take every opportunity to have the number of bus routes and the frequency of services increased.

### **The Bus Route**

The primary bus route (eastbound) will be:

Townsend -> Houlgate Way -> Old Church Road -> Meadow Street  
->The Square -> St Mary Street -> Jubilee Road -> Cheddar Road.

Westbound buses will use the same route in reverse.

Ideally request stops in both directions should be located at:

- a) **Houlgate Way** between the junctions with West Street and Starrs Close with raised kerbs and bus shelters on both sides of road.
- b) **Houlgate Way** outside the Health Centre with raised kerbs and bus shelters in both directions.

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- c) **Old Church Road** between Meadow Street car park and The Square with raised kerbs and bus shelters both sides of the road.
- d) **The Square**. No raised kerbs. No bus shelters.
- e) **Jubilee Road** just west of the junctions with Parkfield Road and Hippisley Drive with raised kerbs and bus shelters both sides.
- f) **Cheddar Road** east of Wood Lane and the road to the reservoir with raised kerbs and bus shelters both sides.

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### **Policy for the keeping of permissible livestock on allotment plots:**

Under the 1950 Allotments Act it is “lawful for any tenant to keep, otherwise than by way of trade or business, hens (but not cockerels) or rabbits in any place on the land and to erect or place and maintain such buildings or structures on the land as are reasonably necessary for that purpose; but this provision does not authorise any hens or rabbits to be kept in such a place or in such a manner as to be prejudicial to health or a nuisance”.

#### **Livestock Policy**

1. No livestock to be kept without the permission of the Town Council.
2. Chickens must be completely contained within a run and have a purpose built area to nest and roost at night. The limit will be 6 hens (no cockerels) per plot.
3. Rabbits must be completely contained within an area so as to prevent escape. They must be housed in purpose built accommodation. The numbers of rabbits will be monitored to ensure the well being of the animals.
4. Details of the run, roost and rabbit accommodation must be supplied to the Town Council for approval before proceeding.
5. Any accommodation, including runs, shall take up no more than 25 sq metres. Any building for their housing should be less than 6 cubic metres and less than 2 metres in height.
6. Should any animals cause a nuisance the tenant will be asked to remove them within a time period decided by the Council.
7. The Town Council regards the welfare of livestock as paramount. Should the environment in which the animals are kept, or the welfare of the livestock give reason for concern, the Town Council reserves the right to dispose of the livestock and associated equipment at its own discretion. Any costs for disposal will be recovered from the tenant. Failure to pay these costs will result in the termination of the tenancy after a period of 28 days. The Town Council’s decision in respect of welfare will be final.
8. If permission is granted then the tenant must provide 24hr contact details.
9. The Town Council reserves the right to decide if the plot is suitable for the keeping of livestock.

Adopted: Council on 17<sup>th</sup> August 2015 (minute 72/15(c) refers)

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Axbridge Town Council

Lone working policy (in conjunction with the H&S policy)

- Be aware of safety issues relating to working alone.
- Assess lone working risks systematically and regularly.
- Ensure that the clerk is able to recognise potential risks.
- Report and record any incidents that relate to working alone.
  
- Take reasonable care
- Keep someone, either at home or on the Council, as appropriate, aware of location, meetings, contact detail etc.
- Report any dangers, or potential danger, as they arise.

Site security

- A chain on the front door, to be connected before opening the front door to anyone calling.
- Mobile phone to hand at all times.

Adopted by Council on 19<sup>th</sup> October 2015 (minute 106/15b) refers

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## Petition Guidance

Petitions to Axbridge Town Council should:-

- Address Axbridge Town Council, and on completion be delivered to the Clerk for presentation to Full Council
- Clearly state the problem or issue which the petition is about
- Use the phrase: 'We the undersigned...'
- Clearly request what you would like done
- Indicate who has organised the petition
- Include the signature of each individual petitioner
- Include the name and address including postcode of everyone who signs
- Have the request written at the top of each sheet of signatures before signing

### **Example petition:**

It has been noted by many residents of Axbridge that the town has neither a bridge nor an axe.

We the undersigned therefore ask that Axbridge Town Council construct a bridge in the Square and purchase an axe for the use of the town's residents.

(signature) Emily Troak, ORGANISER, 63 High Street, Axbridge BS26 1XY

(signature) Paula Sypes, 73 West Street, Axbridge, BS26 2XZ

(signature) Rabbi R Hymnal, Old Town House, The Square, Axbridge, BS26 3XX

(signature) Marge Jelly, 53 Moorland Street, Axbridge, BS26 5XV

(signature) Tristan Bend, 37 Jubilee Road, Axbridge, BS26 4XW

Adopted: Council 21<sup>st</sup> January 2008 (min 136/07(b) refers)

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## **Planning and Licences Committee**

### **Town Council policy on Planning Enforcement matters**

#### **Case 1.**

**Planning permission has been given by Sedgemoor District Council.**

**Possible non-compliance with submitted plans and/or planning conditions.**

Items will be considered by the committee if

- a) a member of public reports an issue to the clerk or to a councillor verbally or in writing and agrees to the issue being raised at the planning meeting and that it may be reported to SDC on their behalf, or,
- b) a councillor reports the issue

The clerk or a councillor will need to check that plans and planning conditions in question appear to be correct and valid. If so, the matter must be put on the agenda of the Town Council committee meeting.

The committee should refer all issues to SDC unless the members feel that there has not been a reasonable time for the developer to comply with the plans/conditions or wishes to give the developer the opportunity to respond with relevant facts.

Any item not referred to SDC must be considered again at the next committee meeting or a reason for no referral should be given to the complainant.

The name of the complainant will not be forwarded to SDC.

Generally, the accuracy of any report of non-compliance will not be investigated by the Town Council.

The progress of all referrals to SDC of non-compliance will be monitored and reported to committee.

#### **Case 2.**

**Development has apparently commenced or taken place without the required planning permission.**

Items will be considered if

- a) a member of public reports an issue to the clerk or to a councillor verbally or in writing and agrees to the issue being raised at the planning meeting and that it may be reported to SDC on their behalf, or,
- b) a councillor reports the issue

All matters will be referred to the clerk in the first instance. The clerk will check whether or not there appears to be a planning application for the development and if not whether the type of development requires planning approval. If it is certain that planning permission exists or is not required then this will be reported back to the complainant without consideration by the committee.

If there is doubt that the necessary permissions have been acquired for the development in question the item must be placed on the agenda for committee members to consider.

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All reports will be referred to SDC unless the committee agrees to defer the decision to refer to SDC to the next meeting to give the opportunity to consider the item further.  
The name of the person raising the issue will not be forwarded to SDC.  
The progress of enforcement will be monitored and reported to the committee.

Adopted by Council: 15<sup>th</sup> April 2013 (minute 216 (c) refers)

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# **Axbridge Town Council**

## **Press and Media Policy**

All responses to the press by the Town Council shall relate to policies of the council or items discussed by the Town Council and will be dealt with in the first instance by the Town Clerk. The Chairman, and in his absence the vice-chairman, are also authorised to give the views of the Council to the press on any non-confidential subject agreed by Council.

Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting.

At no time shall the personal views of either members or officers of the Council be given to the press in a way which could be interpreted as a view of the Council as a whole.

If a response is made to the press in an emergency situation, then the response should be ratified at the next council meeting.

Adopted by Council on 21<sup>st</sup> November 2011 (minute 130(e)/11 refers)

## **Axbridge Town Council**

### **Planning and Licences Committee**

#### **Policy on the process of publicising and considering very large planning applications.**

##### **Background.**

Generally small applications are considered and decided by the Committee without reference to Council. Large applications are considered by the committee and recommendations passed to Council for a decision. This policy relates to very large applications where the Council would want to gauge public opinion before making a response to the planning authority.

The policy is required because the three weeks response period that will be available after receipt of a very large application may not be long enough to decide on and set up public consultation processes and organise council meetings. The following process is agreed in readiness.

##### **Definitions.**

Small application.	Relating to one dwelling and/or its curtilage or one Small business premises. or trees and TPOs
Large application	Relating to more than one dwelling or a significant alteration to a business use or business property
Very large application	Plans for mixed or extensive developments, particularly those on which the Council would wish to consult the general public.

##### **Process.**

1. The clerk in consultation with the Mayor and the Chairman of the Planning and Licences Committee will decide that an application is “very large”.
2. For a “very large” planning application a public meeting from say 6.30pm to 8.00pm followed by a Council meeting at say 8.15pm will be arranged. (The application would not be considered by the Planning and Licences Committee.)
3. The only business at the Council meeting should be to make a decision on the planning application presented at the prior public meeting.
4. At the public meeting, the planning application would be presented and explained and interested parties would be invited, including the developer, and the public would be given an opportunity to express their views.
5. The fact that public meeting would be the main opportunity for the public to give their opinion to the Town Council should be publicised.
6. Councillors would be expected to attend the public meeting and to be familiar with the application before the Council meeting.

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7. There would be no opportunity for public participation at the Council meeting that follows the public meeting.
8. Oyez would be used, if possible, to inform residents of the application and this procedure.
9. Written comments from residents should be encouraged and accepted prior to the public meeting.

Approved and adopted by Council on 18<sup>th</sup> July 2016 (minute 48/16(b) refers)

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## Information available from Axbridge Town Council under the model publication scheme

### Information to be published

**How the information can be obtained**  
For Contact details see end of the schedule

**Cost**

#### **Class1 - Who we are and what we do**

(Organisational information, structures, locations and contacts)

This will be current information only

Who's who on the Council and its Committees

Hard copy – contact Town Clerk

10p per sheet

Website

Free

Contact details for Parish Clerk and Council members

Hard copy – contact Town Clerk

10p per sheet

Website

Free

Annual Report – summary hand delivered to all Axbridge households annually.

Hard copy of Annual

10p per sheet

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	Report/Summary	
	Website – Full Annual Report	Free
Location of main Council office and accessibility details	Notice Board – Axbridge Square Website	Free
Staffing structure	Notice Board – Axbridge Square Website – within Annual Report	Free
<b>Class 2 – What we spend and how we spend it</b> (Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)		
Current and previous financial year as a minimum		
Annual return form and report by auditor	Hard copy – contact Town Clerk	10p per sheet
Finalised budget	Hard copy – contact Town Clerk	10p per sheet
Precept	Website	Free
	Hard copy – contact Town Clerk	10p per sheet
	Website – within budget and minutes	Free
	OYEZ newsletter – hand delivered to	

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all households in Axbridge. Precept information included (limited period)

	Hard copy of OYEZ	10p per sheet
	Website – OYEZ	Free
Borrowing Approval letter	Hard copy – contact Town Clerk	10p per sheet
Financial Standing Orders and Regulations	Hard copy – contact Town Clerk	10p per sheet
	Website	Free
Grants given and received	Hard copy – contact Town Clerk	10p per sheet
List of current contracts awarded and value of contract	Hard copy – contact Town Clerk	10p per sheet
Members’ allowances and expenses	Hard copy – contact Town Clerk	10p per sheet

Please note that the Council do not pay any Members Allowances or Expenses other than the Chairman’s (Mayor’s) Allowance.

**Class 3 – What our priorities are and how we are doing**  
(Strategies and plans, performance indicators, audits, inspections and reviews)

Parish Plan AUGUST 2017	Hard copy – contact Town Clerk for	10 per sheet
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	Full Plan or Summary Plan	
Annual Report to Parish or Community Meeting	Website	Free
	Hard copy – contact Town Clerk	10 per sheet
Quality status	Website	Free
	Hard copy of Quality Status information – contact Town Clerk	10p per sheet
Local charters drawn up in accordance with DCLG guidelines	Website – Minutes of Council meeting regarding quality status issues	Free
	N/A	
<b>Class 4 – How we make decisions</b>		
(Decision making processes and records of decisions)		
Current and previous council year as a minimum		
Timetable of meetings	Hard copy – contact Town Clerk	10p per sheet
	Website	Free
Agendas of meetings	Notice Board – Axbridge Square	
	Hard copy – contact Town Clerk	10p per sheet
	Website	Free

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Minutes of meetings – nb this will exclude information that is properly regarded as private to the meeting.	Notice Board – Axbridge Square (limited period)	
	Hard copy – contact Town Clerk	10p per sheet
	Website	Free
Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.	File in Post Office – Axbridge Square	Free to view
	Hard copy – contact Town Clerk	10p per sheet
Responses to consultation papers Responses to planning applications	Website	Free
	Hard copy – contact Town Clerk	10p per sheet
	Hard copy – contact Town Clerk	10p per sheet
Bye-laws	Website – within minutes of the Planning and Licences Committee	Free
	N/A	

**Class 5 – Our policies and procedures**

(Current written protocols, policies and procedures for delivering our services and responsibilities)

Current information only

Policies and procedures for the conduct of council business:	Hard copy – contact Town Clerk, or by visual inspection	10p per sheet
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Procedural standing orders	Website – standing orders, terms of reference and policy statements	Free
Committee and sub-committee terms of reference		
Delegated authority in respect of officers		
Code of Conduct		
Policy statements		
Policies and procedures for the provision of services and about the employment of staff:		
Internal policies relating to the delivery of services	Hard copy – contact Town Clerk	10p per sheet
Equality and diversity policy		
<del>Health and safety policy</del>		
<del>Recruitment policies (including current vacancies)</del>		
Policies and procedures for handling requests for information		
Complaints procedures (including those covering requests for information and operating the publication scheme)		
Information security policy	Hard copy – contact Town Clerk Contact Town Clerk for details	10p per sheet
Records management policies (records retention, destruction and archive)		
Data protection policies	Hard copy – contact Town Clerk This document	10 per sheet
Schedule of charges (for the publication of information)		
<b>Class 6 – Lists and Registers</b>		
Currently maintained lists and registers only		
Any publicly available register or list	Copy of principal authority’s electoral register is held	Visual inspection free

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Assets Register	Hard copy – contact Town Clerk	10p per sheet
Disclosure log	N/A	
Register of members' interests	Hard copy – contact Town Clerk	10p per sheet
Register of gifts and hospitality	Hard copy – contact Town Clerk	10p per sheet

### **Class 7 – The services we offer**

(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)

#### Current information only

Allotments	Hard copy – contact Town Clerk	10p per sheet
Burial grounds and closed churchyards	Contact Town Clerk – visual inspection	
Community centres and village halls	N/A	
Parks, playing fields and recreational facilities	Hard copy – contact Town Clerk	10p per sheet
Seating, litter bins, clocks, memorials and lighting	Hard copy – contact Town Clerk	10p per sheet
Bus shelters	Hard copy – contact Town Clerk	10p per sheet
Markets	N/A	
Public conveniences	N/A	
Agency agreements	N/A	
A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees)	Hard copy – contact Town Clerk	10p per sheet

### **Additional Information**

This will provide Councils with the opportunity to publish information that is not itemised in the lists above

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**OYEZ Newsletter for current year – currently issued to all households in Axbridge after each monthly council meeting (no meeting in December)**

Hard copy – contact Town Clerk

10p per sheet

Website

Free

**Contact details:**

**Mrs V L Brice – Axbridge Town Clerk  
Axbridge Town Council  
PO Box 1184  
Axbridge  
Somerset  
BS26 2WJ**

**Tel – 07884 264033**

**Email – [vicky.brice@axbridge-tc.gov.uk](mailto:vicky.brice@axbridge-tc.gov.uk)**

**Website – [www.axbridge-tc.gov.uk](http://www.axbridge-tc.gov.uk) – note – most of the website information referred to can be found under the residents section, then under Town Council**

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## **SCHEDULE OF CHARGES**

This describes how the charges have been arrived at and should be published as part of the guide.

<b>TYPE OF CHARGE</b>	<b>DESCRIPTION</b>	<b>BASIS OF CHARGE</b>
<b>Disbursement cost</b>	Photocopying @10p per sheet (black & white) Colour Photocopying – not available	Actual cost *
	Postage	Actual cost of Royal Mail standard 2 <sup>nd</sup> class
<b>Statutory Fee</b>		In accordance with the relevant legislation (quote the actual statute)
<b>Other</b>		

\* the actual cost incurred by the public authority

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## SEDGEMOOR CHARTER

Sedgemoor District Council recognises the vital role that Town and Parish Councils and parish meetings play in working with it to improve the local quality of life for the communities we serve. This charter aims to establish effective collaborative working between Sedgemoor District Council and Town and Parish Councils in the District, with particular attention on improving consultation and communication about policies and decisions that may affect communities.

The Charter also offers Town and Parish Councils the opportunity, if they wish, to have a greater involvement in the provision of services for local people.

### Communication and Consultation

The District Council and the local councils believe that it is important for District Councillors and officers to maintain a close relationship with local councils and their wards including attendance at cluster meetings and Town/Parish council meetings, where possible.

Consultation will be built into the process of developing policies and services, and will be carried out at the earliest opportunity so that there is the best prospect of improving the proposals and allowing sufficient time to gather views.

Consultation documents will be as simple and concise as possible. They will provide an Executive Summary of no more than two pages outlining the main proposals, those who may be affected and setting out the questions being asked and the timescale for responses.

Documents will be made widely available, using electronic means as far as possible. If requested, documents will be provided in other forms.

The minimum time for responses will be six weeks (excepting planning applications). However, if requested local councils who meet on a two monthly cycle will be given an eight-week period in which to respond.

The results of consultations will be made available, with an account of the views expressed and the decisions taken.

Cluster meetings will be utilised as a forum to discuss proposals and enable partner agencies to provide information and seek views on their initiatives. They will also be utilised by Town/Parish Councils to raise issues that concern them.

### Planning Framework

Consultation on the new style development plans and how planning applications may in future be dealt with is set out in the Statement of Community Involvement. This document sets out how the community will be involved in planning matters, which sectors of the community will be involved, the stages at which it will take place and the methods used for involvement.

### Planning Applications

The District Council will:

continue to notify the Town/Parish Council of all planning applications received for its area and allow 21 days for the submission of representations

ensure that, when the Town/Parish Council's view differs on planning grounds from the action proposed by the District Council's Group Manager responsible for Development Control under delegated authority, the matter shall be referred to the Council's Development Control Committee and the Town/Parish Council will be notified of this referral.

where an application will be decided by Development Control Committee undertake to ensure that, where possible, representations by Town/Parish Councils are reported

ensure that the Town/Parish Council can access the website for all decisions on planning applications and any conditions attached

act on any suspected non-compliance with planning conditions and unauthorised developments reported by the Town/Parish Council and keep them informed of progress

provide training for local Councillors (in collaboration with Somerset Association of Local Councils, where appropriate) to aid understanding of planning and material considerations with regard to planning applications.

Town/Parish Councils will be expected to:

Respond in writing, within the agreed time-scales, if they wish to comment on a planning application. It is acknowledged that in some cases, this may require the holding of special meetings.

specify, as fully as possible on planning grounds the reasons for an objection to, or support for, a particular planning application

report non-compliance with planning conditions and unauthorised developments, should they choose to

### Community Planning

The District Council and Town/Parish Councils will support local consultation to develop Town/Parish and Neighbourhood Plans.

The District Council and Town/Parish Councils will work together to determine those actions that can best be addressed at the Town/Parish level and those that can be tackled by Parishes within Clusters acting together and sharing resources.

Support will be given by the District Council to address issues raised through Parish Planning although the extent of this support will depend on the contribution to District – wide priorities and the level of active local support

The District Council in consultation through the Parish Clusters will identify those priorities that should be dealt with District-wide with other partners through the Sustainable Communities Strategy.

### Enhancing the Powers and Influence of Town/Parish Councils

The District Council will work with Somerset Association of Local Councils to assist Councils wishing to obtain Quality Council Status.

The District Council will also consider applications for Town/Parish Councils to provide local services wherever it is practicable.

#### Monitoring and Review

The District Council will seek feedback on the operation of the Charter in the autumn of each year and will review the charter bi-annually to reflect feedback and any changes in local circumstances.

#### Signatures

We the undersigned declare our commitment to the Sedgemoor Charter and in so doing, aim to encourage the improvement of our good working practices and embrace the spirit of the agreement.

For Sedgemoor District Council  
Leader of the Council  
Chief Executive

For Town/Parish Council

Chairman  
Clerk  
Date

**#Standing orders**

**#Risk assessment**

**#Procedure for inspection and management of trees**

The Axbridge Town Council will follow the recommendations outlined in the National Tree Safety Group's publication 'Common sense risk management of trees'; through the Council's Cemetery, Allotment & Open Spaces advisory group.

# A register will be kept identifying all trees on land owned or leased by Axbridge town council to which the public has access.

#Formal inspections of those trees will take place in the Spring and Autumn of each year for risk identification, analysis, evaluation and treatment.

#Trees will be inspected for health, disease and decay and in particular for exposed roots, low branches and damaged hanging branches.

#Notices will be placed where a hazard is identified until appropriate treatment is completed.

#Records will be kept following monitoring, reviews and treatment.

This document was adopted by Council on 15<sup>th</sup> July 2013 (minute 46/13 (d) refers)

**WWW.AXBRIDGE-TC.GOV.UK Criteria for entries to Local Business Directory, What's On page, and Notice Board, as at 11/03/2007.**

**INCLUSION IN THE WEBSITE LOCAL BUSINESS DIRECTORY**

Entries in the **Local Business Directory** are free-of-charge. Inclusion in the **Directory** does not imply any endorsement by Axbridge Town Council (or Axbridge Chamber of Commerce).

The only thing that we ask is that you keep the information we publish up-to-date by informing [webmaster@axbridge-tc.gov.uk](mailto:webmaster@axbridge-tc.gov.uk) of any changes as and when they occur.

Businesses requesting an entry in the **Local Business Directory** should as a general rule meet at least one of the following criteria:

- Business trading from premises in Axbridge
- Business owned by an Axbridge resident
- Business which is a member of the Axbridge Chamber of Commerce

Door-to-door or Direct Sales operations will as a rule not be allowed an entry.

The Town Council reserves the right to admit or refuse any entry to the **Directory** or vary the above guidelines at its sole discretion.

**INCLUSION OF EVENTS ON THE WEBSITE WHAT'S ON PAGE**

Entries on the **What's On** page are free-of-charge. Publication on the **What's On** page does not imply any endorsement by Axbridge Town Council.

The only thing that we ask is that you keep the information we publish up-to-date by informing [webmaster@axbridge-tc.gov.uk](mailto:webmaster@axbridge-tc.gov.uk) of any changes as and when they occur.

As a general rule, events should be at a **venue in Axbridge**.

Purely private events will as a rule not be allowed an entry on the **What's On** page.

Events published on the **What's On** page will be left on display until the final date of the event.

The Town Council reserves the right to admit or refuse any entry to the **What's On** page at its sole discretion.

**INCLUSION OF NOTICES ON THE WEBSITE NOTICE BOARD**

Entries on the Notice Board are free-of-charge. Publication on the Notice Board does not imply any endorsement by Axbridge Town Council.

The only thing that we ask is that you keep the information we publish up-to-date by informing [webmaster@axbridge-tc.gov.uk](mailto:webmaster@axbridge-tc.gov.uk) of any changes as and when they occur.

In order to be included on the Notice Board, a notice will be of specific **relevance to Axbridge**

**residents.**

The Town Council reserves the right to admit or refuse any entry to the website **Notice Board** at its sole discretion.

**Note:** Axbridge in the context of this document refers to the Ward of Axbridge

## APPENDIX E

### Axbridge Town Council

#### Risk Assessment and Management

(Adopted by Council at its meeting on 15<sup>th</sup> February 2016 (minute 164/15(e) refers)

Area	Risk	Level (H/M/L)	Management
<i>Finance:</i>			
Precept	Budget/precept not set	L	RFO diary action to produce report and reminder to AFG.
	Not submitted	L	RFO diary action, AFG monitor
	Not paid by DC	L	RFO monitors. Financial Reserves policy.
Loans	Missed repayment	L	Direct debit arrangement
	Grant for Changing Rooms repayment not received	L	Reserves will cover amount expected from grant.
Cemetery	Invoices to undertakers missed	L	RFO checks monthly against burial records
	Returns to Registrar late or missed	L	RFO diary action
Allotments	Allotment allocation error	L	Register checked by appointed councillor or CAO member
	Invoices to holders late or incorrect	L	RFO diary action Checked against register by AFG
Grants to Council	Application not made	M	RFO diary action/AFG monitors
	Grant not received	L	RFO monitors
Funds	Funds and interest management poor	L	Policy review by AFG annually
Audit	Procedures not followed	M	AFG monitors
Employees' Salaries	Incorrect rate and/ or hours	M	AFG monitors from accounts summary reports
Cheque payments	Incorrect payee or amount	M	Regular checks by Councillors as per Financial Regulations
Capital expenditure	Unsatisfactory goods or service	M	Vet potential suppliers. Legal redress through NALC
Grants by Council	No Power to make	M	Clerk to identify statute
	Not Bona fide organisation	M	Obtain and check accounts and constitution Full council approval
Insurance	Incorrect/inadequate cover, non payment	H	RFO diary action, annual review by AFG
VAT	Not claimed or received	M	RFO diary action to claim 3 monthly. AFG monitors

<b>Assets:</b>			
Axbridge Town Car Park	All risks associated with managing and use of the car park	H	Insurance. Inspection by Councillors and employees.
Moorland Street Car Park	All risks associated with managing and use of the car park	H	Insurance. Inspection by Councillors and employees.
Changing Rooms	Damage/Fire	M	Insurance Regular Inspection by manager.
Public Conveniences Moorland St.	Slip and trip hazards for users and cleaners – possible injury	M	Warning signs
	Vandalism or Fire – possibly injury to users	M	Regular inspections
	Trapped fingers under toilet seat or in door	M	Warning signs
Council Chamber Office, Town Hall	Locked in toilet – distress	M	Locks routinely checked by council operatives
	Unsatisfactory Health and Safety standards for employees and visitors	M	Health and Safety assessed annually and when key changes are made.
	Health problems due to Environment and Display Screen Equipment	M	Environment and Display Screen Equipment Assessment Tool will be employed annually in accordance with advice note (covers space, lighting, power, noise, temperature and humidity and DSE)
	Personal Injury from use of Office Equipment	M	Chair, desk, footstool and keyboard provided to minimise injury. Employees to take regular breaks away from the screen. Employees to have annual eye test if requested.
	Dangerous Equipment	L	No machinery – only office equipment.
	Trip Hazards	M	Hazard tape on feet of office screen Carpet tiles wear and fitting – monitored regularly.
	Personal Safety	M	Medical issues which would affect work to be raised with the employer. Female employees to carry rape alarm when leaving the office after dark. Employees to advise Mayor if working in the office outside usual/agreed hours.
	Working alone	M	Lone working policy reflected in Contract of Employment
	Unauthorised access to Town Hall and office	M	Main door locked when in office and the Town Hall is not in use. Other doors can be locked as appropriate.

	Fire or major incident (Access and Exit )	M	<p>Fire Risk Assessment regularly carried out by the Town Trust – and made available to Council.</p> <p>Access and Exit routes defined: One access point through main door. 4 exit points: –</p> <p>a) through the front door downstairs,</p> <p>b) through the fire exit at rear of hall downstairs</p> <p>c) through the door in the robing room (<i>to be unlocked when in office</i>) into the Museum room (<i>key to be in lock when office in use</i>) and out onto the balcony. Ladder then available</p> <p>d) through Council Chamber window to give access to roof. Ladder available</p>
	Violence from visitors	L	<p>Front door locked so no unexpected visitors. Town Hall used at regular intervals.</p> <p>Doorbell will warn of visitors who are greeted downstairs (with chain on door if hall not in use) before being invited to the office. Appointments to be recorded in diary. Clerk to have mobile phone and be aware of emergency numbers.</p> <p>Any incidents to be logged and reported to the Mayor.</p>
Allotments	Personal Accident	L	<p>Inspection by appointed Councillor. Insurance.</p>
Computer hardware and software	Loss of data or access to data.	M	<p>Automatic backups held remotely. Mayor and Deputy Mayor to hold access passwords and details of where data is stored in the event of unavailability of such information.</p>
	Malfunction of or damage to hardware	M	<p>Repair locally or re-purchase at short notice, in conjunction with regular data backup and retention of installed software for re-installation.</p>
	Need to re-install software	M	<p>Software CDs to be kept securely in fire safe</p>
	Unauthorised access to sensitive data	L	<p>Password-protected PC access using a “strong” password, and password-protected screen-saver.</p> <p>Confidential documents to be password-protected.</p> <p>No sensitive data to be stored on removable magnetic media or emailed.</p> <p>User to log off when not using the PC.</p>
	Interruption to critical work due to system failure	M	<p>Ability to re-instate backed-up files to another PC for temporary use.</p> <p>Access to webmail from another PC.</p>
	Threat from virus or other attack	M	<p>Use of up-to-date anti-virus software and use of firewall.</p> <p>Install updates to operating system regularly.</p>

Important documents and paper records	Loss due to fire or theft	L	Stored in locked fire-safe. One set of keys to be kept by clerk and one by Mayor.
Bus shelters & seats	Damage, personal injury.	M	Insurance.
Trees	Personal injury or damage to property	M	Maintain Log of all trees and their condition. Procedure in standing orders.
<b>Procedures:</b>			
General	Incorrect/illegal procedures or actions	M	SALC membership for advice and legal services.
Meetings	Failure to advertise or notify councillors correctly	L	Chairman checks procedures in line with Standing Orders.
Events	Illness due to food or drink supplied at event	M	Check caterer's hygiene and insurance certificates.
Contracts	Accidents	M	Ensure copy of suppliers' current insurance certificates received.
<b>People:</b>			
Clerk's duties	Loss or illness of clerk	M	Monitoring of performance, contract and job description by designated committee including annual review. Training. Councillors available with appropriate skills.
	Fraud	L	Fidelity insurance, level of cover agreed with auditors.
Councillors	Liable/ Slander	L	Standing Orders, Insurance
Meetings	Inaccessibility of venues. Disabled persons needs not available.	M	Clerk or Chairman of meeting to assess suitability of venue and needs of disabled people to comply with legislation.
	Venue unsafe for those attending.	M	Clerk or Chairman of meeting to assess safety of venues. Premises fire risk assessments to be obtained.
Site meetings	Road accident	M	All councillors and employees supplied with visibility jackets.
Exceptional weather	Snow and/or ice affecting transport and access to local facilities	M	Clerk to follow Action Plan.

AFG = Town Council Administration and Finance Advisory Group

CAO = Town Council Cemeteries, Allotments and Open Spaces Advisory Group

DC = Sedgemoor District Council

L&RG = Town Council Leisure and Recreation Advisory Group

SALC = Somerset Association of Local Councils

RFO = Responsible Financial Officer

## Appendix F

### Axbridge Town Council

#### Delegation Scheme - Clerk to the Council.

##### Introduction.

This document will form part of the job description of Clerk to the Council. It is expected that the clerk will liaise with the Mayor and/or relevant councillors on a regular basis about duties but will perform the following routine tasks without reference to council.

The Town council has agreed that the following tasks are delegated to the clerk. The decisions are minuted and the relevant minute numbers are recorded by each entry.

##### Scheme.

Area of Business	Task	Minute
Administration	Arrange for the Mayoral and Honours Boards to be updated	215(g)/14
	Purchase necessary office consumables	36(f)/16
Allotments	Preparation and issue of rental invoices and reminders for payment.	32(f)/12
	Give written permission for the erection of sheds and glass houses if they comply with the regulations.	32(f)/12
	Give written permission for the keeping of livestock if the request complies with the regulations.	32(f)/12
	Issue warning letters when none compliance with tenancy agreement or regulations occurs.	32(f)/12
	Allocate allotment plots when straightforward and report back to the subsequent meeting.	37(c)/15
	Arrange for hedging works at the Allotments having consulted with the relevant Chairman/members.	84(c)/15
Car Parks	Issue orders for repair of car park lighting.	53(f)/15
Cemetery	Allocation of plots for graves and keeping the relevant records	32(f)/12
	Approve headstone design if in accordance with regulations.	32(f)/12
	Preparation and issue of invoices for interments.	32(f)/12
	Arrange for hedging works at the Cemetery having consulted with the relevant Chairmen/members.	84(c)/15
Community Stall	Control of use of the community stall at the Farmers' Market	53(f)/15
Electricity Contracts	Agree electricity supply contracts for all facilities (car parks, changing rooms and public conveniences) with changes to be reported to Council via the A&F group	132/16(e)
Emergency Repairs	Respond to safety issues reported by members, council officers, or the public by, if necessary, authorising	69(b)/12

	emergency repairs and/or works to rend the reported item safe in relation to the recreation area.	
Furlong	Arrange for hedging works at the Furlong having consulted with the relevant Chairman/members.	84(c)/15
Licensing	Respond to District Council on road closure licence applications as long as there is no change from the previous application for the same event	106(d)/12
Oyez	Production of Oyez	53(f)/15
PAT testing	Arrange PAT testing as per the Risk Assessment document. The results to be checked by the A&F group	132/16(e)

Dec 2016