



**Crookham Village
Parish Council
STANDING
ORDERS**

APRIL 2019

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1. TERMS OF REFERENCE FOR THE COUNCIL

- 1.1. **Terms of Reference.** The terms of reference for the Parish Council, apart from the powers and duties imposed upon it as a corporate body, shall be to deal with any business as set out in these Terms of Reference.
- 1.2. **Copies of Standing Orders for Members.** A copy of these Standing Orders (SOs) shall be given to each Member¹ by the Clerk upon delivery to him/her of the Member's declaration of acceptance of office as a parish councillor.

2. MEETINGS OF THE COUNCIL

- 2.1. **Frequency.** The ordinary meetings of the Council shall normally be held on a Monday at least eleven times a year, alternating between the WI Hall, The Street, Crookham Village and Zebon Community Centre, Danvers Drive, Church Crookham or at such place and time as the Council may determine annually when setting its programme of meetings.
- 2.2. **The Annual General Meeting.** The Annual General Meeting of the Council² shall be held:
 - 2.2.1. **Election Year.** On the Monday following the fourth day after the ordinary day of elections to the Council or within fourteen days thereafter.
 - 2.2.2. **Not an Election year.** On a Monday in May to be determined by the Council.
- 2.3. **The Annual Parish Meeting.** The Annual Parish Meeting shall be held between 1 March and 1 June and in such place and time as the Council may determine on a date to be approved by the Council.
- 2.4. **Additional Council Meetings.** The Chairman of the Council may summon an additional meeting of the Council at any time. An additional meeting may also be summoned on the request, in writing, of at least 3 Members of the Council. The summons for any such meeting shall set out the business to be considered at that meeting, and no other business shall be transacted.
- 2.5. **Admittance of the Public and the Press³.** The public and the press shall be admitted to all meetings of the Council and its Committees. The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. Subject to SO 2.5 a person who attends a meeting is permitted to report (film, photograph, audio recording) as it takes place but must advise the Chairman of the intention to do so. Oral reporting/commentary must have the permission of the Chairman of the meeting. However, the public or the press, or both, may be temporarily excluded from the meeting by passing a resolution to do so. If a person's advice or assistance is needed they may be invited (by name/organisation) to remain after the exclusion resolution is passed.
- 2.6. **Summons for Meetings.** A summons for every meeting of the Council or its Committees is to be sent to all Members, which sets out the agenda for the meeting. It is to be sent to all Members to allow a minimum of three clear working days⁴ before the date on which the meeting is held. The summons is also to be sent to County and District Councillors for the parish.

¹ The word "member/s" means councillor/s or co-opted member/s of the Council or Committee throughout this document and appendices, unless it is qualified by words such as "...of the public."

² Laid down by Statute; may not be suspended by resolution in relation to any item of business.

³ Laid down by Statute; may not be suspended by resolution in relation to any item of business

⁴ As set out in the Local Government Act 1972 (does not include the day of issue or the day of the meeting)

- 2.7. **Chairmanship of Meetings.** The person presiding at a meeting may exercise all powers and duties of the Chairman in relation to the conduct of the meeting. In the absence of the Chairman the Vice-Chairman will preside. In the absence of both the Chairman and the Vice-Chairman, Members will propose and vote on who will preside at the meeting prior to conducting any business. The Chairman of the meeting, in their announcements, is to remind those attending the meeting:
- 2.7.1. To switch off mobile phones.
 - 2.7.2. Explain the procedures in the event of a fire/emergency.
 - 2.7.3. Point out the disabled access and any facilities for the hard of hearing.
- 2.8. **Public Participation.** At all meetings of the Council and its Committees, the Chairman may at his/her discretion, and at a convenient time in the transaction of business, allow any members of the public to address the meeting. Such sessions form part of the Council meeting in Law and shall be duly Minuted. The Code of Conduct which was adopted by the Council on 1 October 2012 shall apply to Members of the Council in respect of the entire meeting. Where, however, Members of the Council exercise their rights pursuant to Standing Order (SO) 2.9, below, members of the public shall be allowed to attend the meetings, and to make representations, answer questions, or give evidence in relation to the business being transacted.
- 2.9. **Participation by Members.** At all meetings of the Council and its Committees, the Chairman may permit Members of the Council, including co-opted Members, who have a prejudicial interest in relation to any item of business to be transacted at that meeting to make representations, answer questions, or give evidence relating to the business being transacted. Such sessions form part of the Council meeting in Law and shall be duly Minuted. The Code of Conduct adopted by the Council shall apply to all Members of the Council in respect of the entire meeting.

3. ELECTIONS/POWERS OF THE CHAIRMEN/VICE-CHAIRMEN

- 3.1. **The Council - Chairman.** The Chairman of the Council shall be elected at the Annual General Meeting and this election shall be the first business to be transacted at that Meeting.
- 3.2. **The Council – Vice-Chairman.** The Vice-Chairman of the Council shall be elected at the Annual Meeting.
- 3.3. **Committee Chairmen/Vice-Chairman.** The Chairman and Vice-Chairman (if appropriate) shall be elected by Members of the relevant committee at the Annual General Meeting.
- 3.4. **Chairmanship of Working Party.** A Chairman of a Working Party is to be decided by the Council when the Working Party is appointed. The Chairman of a Working Party is not to be the Chairman of the Council or of the appointing Committee.
- 3.5. **Co-option of Parish Councillors.** The co-option of a Parish Councillor or Councillors will be required following the notification of the existence of a casual vacancy/ies for membership of the Parish Council. The names and addresses of anyone wishing to be considered as a Parish Councillor will be forwarded to the Clerk by the date set out in the Casual Vacancy notice. The following will apply:
- 3.5.1. **Procedure before the Parish Council Meeting.**
 - 3.5.1.1. The Clerk will consult with Electoral Services at Hart District Council as appropriate.

3.5.1.2. A notice for a Casual Vacancy or Vacancies will be posted, and if an election is not required then a notice for co-option will also be posted.

3.5.1.3. The Clerk will respond in writing to any member of the public wishing their name(s) to be considered for co-option. The Clerk will request any candidate to forward a letter to the Council setting out the reasons why that individual wishes to be a Member of the Council enclosing any supporting documentation e.g. CV. The Clerk will send an extract of SO3.6 to each candidate, and inform candidates of the meeting at which the co-option will take place and invite them to attend the meeting

3.5.1.4. The Clerk will place the co-option on the agenda of the appropriate Parish Council Meeting. The Clerk will prepare a ballot paper listing candidates for Membership the Council together with any documents provided by the candidate(s).

3.6.1 **Procedures at the Parish Council Meeting.** The following will take place in open session, with or without any of the candidates present:

3.6.2.1 The Chairman will inform Members of the names and addresses of anyone wishing to be considered for co-option to a vacancy on the Parish Council.⁵

3.6.2.2 The Chairman will invite Councillors present at the meeting to decide if they wish to nominate any of the persons named. Councillors present will then nominate persons for the vacancy or vacancies in turn, and provided that the nomination is seconded, those persons names may be voted upon as follows:

3.6.2.3 **One Vacancy.** A Councillor may only nominate or second one candidate.

3.6.2.4 The vote⁶ or series of votes to co-opt members will then proceed. Each vacancy will be voted for in turn as a separate procedure. Only Councillors present may vote, using the following procedure:

3.6.2.5 The Chairman will check that the names of those properly nominated appear in alphabetical order on ballot papers prepared by the Clerk. The ballot papers will be issued to all Members present.

3.6.2.6 Members will place an "X" indicating their vote against the nomination they wish to vote for. The ballot papers will be collected and counted by the Clerk, who will record the number of votes received for each nomination on a score sheet which will be passed to the Chairman.

3.6.2.7 The Chairman is to check the score sheet. The candidate who receives an absolute majority⁷ of those present and voting is declared elected by the Chairman, and co-opted to the Parish Council.

⁵ There is no rule that unsuccessful candidates at previous elections should be chosen first.

⁶ By ballot paper; see Standing Order 15.

⁷ See definition at Sect 12, paragraph 39 of the LGA 1972 "an absolute majority of voting members present" i.e. if there are 12 councillors then an absolute majority would be 7"

- 3.6.2.8 Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.
- 3.6.2.9 Should at any stage all candidates have the same number of votes, then the Clerk is to prepare a fresh ballot sheet showing the names of all remaining candidates.
- 3.6.2.10 When a candidate receives an absolute majority, the Chairman declares that candidate as being co-opted to the Council. If there is more than one vacancy for co-option the Chairman will direct that the name of the successful candidate is removed from the ballot sheets by the Clerk. The procedure at 3.6.2.5, 3.6.2.6, and 3.6.1.7 is repeated for each vacancy in turn.
- 3.6.2.11 When all the vacancies have been voted upon then the Chairman will summon the new Councillor(s) to sign their Declaration of Acceptance of Office and join Members around the table. The Co-opted Councillor(s) will not participate in the business of that meeting. Prior to the next Council meeting the Co-opted Councillor(s) will read, understand and sign the Councils Code of Conduct and Disclosable Pecuniary Interests forms before they conduct any business on behalf of the Council.

3.6.3 **Procedures following the Parish Council Meeting.**

- 3.6.3.1 Electoral Services at HDC is to be informed of the result by the Clerk.
- 3.6.3.2 The successful candidate(s) is/are to be provided with a set of these SOs, and to have read and understood the Code of Conduct (Annex D) and to have signed his/her Disclosable Pecuniary Interests form. **Declaration of Acceptance of Office.** Members and co-opted Members of the Council are to sign the form of Declaration of Acceptance in the presence of the Proper Officer or an Officer of the Council prior to carrying out any business of the Council. Elected Members are to sign the form prior to, or at the first meeting after their election, which in an election year is the Annual Meeting. The Council may decide at that meeting to allow an elected Member to sign the form at a later date (not later than the next meeting of the Parish Council) providing the Member has informed the Proper Officer that they are unable to attend the first meeting after the election and have offered their apologies in advance of the meeting. Should that not be done then the elected Member's place on the Council will automatically become vacant, and the vacancy filled by co-option. The person concerned will no longer be a Councillor, although he/she may seek re-election.

3.7 **Powers of Chairman.** The Chairman or the person presiding at the meeting may exercise any power or duty of the Chairman in relation to the conduct of a meeting⁸ and as set out in these SOs or delegated to him/her by the Council.

⁸ Laid down by Statute; May not be suspended by resolution in relation to any item of business. The Chairman is delegated any powers as decided by the Council.

4 COMMITTEES, SUB-COMMITTEES, WORKING PARTIES

4.1 **Appointing Committees.** The Council⁸ may at its Annual General Meeting appoint for the discharge of its function Standing Committees and Sub-Committees (and may at any other time appoint such other Committees or Sub-Committees as it deems necessary).

4.2 **Committee Powers.** The Council may confer fully delegated powers to any of its Standing Committees or Sub-Committees, other than those listed in section 101 (6) of the Local Government Act 1972.

4.3 **Standing Committees.** For the purpose of this SO, the Standing Committees are as follows:

4.3.1 Planning Committee

4.3.2 Finance & Human Resources Committee

4.4 **Membership.** The Chairman and Vice-Chairman of the Standing Committees shall be elected at the Annual General Meeting to hold office until the next Annual General Meeting. No member of the Council may be the Chairman of two Standing Committees. The number of members for each Committee will normally be:

4.4.1 **Planning Committee** – four councillors.

4.4.2 **Finance & Human Resources Committee** – four councillors.

4.5 **Committee/Sub-Committee Provisions.** Subject to any statutory provision, the Council:

4.5.1 Shall not appoint any member of a Committee so as to hold office later than the next Annual General Meeting.

4.5.2 May appoint persons other than Members of the Council to any Standing Committee or Sub-Committee, though such persons have no right to vote or to become Chairman of the Standing Committee or Sub-Committee.

4.5.3 May, at any time, dissolve or alter the Membership of a Committee.

4.6 **Participation by Non-Committee Members.** Membership of sub-committees will be decided at the Annual General Meeting of the Council. All Councillors may attend meetings of committees and sub-committees with speaking and voting rights to assist in ensuring a quorum.

4.7 **Additional Committee Meetings.** 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 may also be summoned on the request, in writing, of not less than three of the Members of the Committee. The summons for any such meeting shall set out the business to be considered at that meeting, and no other business shall be transacted.

4.8 **Sub-Committee, Working Parties.** The Council and every Committee may appoint a Sub-Committee, or Working Party for purposes to be specified by the Council or Committee. Approval as to its purpose, objectives and number of members as set out in Terms of Reference must be approved by a resolution of the Council. The title of any such grouping is to reflect its function.

4.9 **Membership – Working Parties.** The composition of a Working Party shall be at the discretion of the Council or its appointing Committee.

4.10 **Working Party Provisions.** A Working Party or any similar group approved by the Council or a Committee may only make recommendations, giving notice thereof to the Council or one of its Standing Committees.

4.11 **Debate and Interests.** The SOs on rules of debate and the SOs on interests of Members in contracts and other matters, shall apply to all Members of Committees and Sub-Committee meetings.

4.12 **Terms of Reference - Committees.** The terms of reference for the Standing Committees listed in SO 4.3 are set out in Annex A and B of these SOs. They may only be altered by a Resolution in Council.

5 LEAD COUNCILLORS

5.1 Lead Councillors are appointed from time to time by resolution of the Council to help manage specific projects. The appointment conveys no executive privileges unless specifically authorised by the Council.

5.2 Unless specified otherwise, the role is limited to gathering information, making recommendations to the Council, co-ordinating links between the Council and outside bodies or persons relevant to the project and, where relevant, monitoring work in progress on behalf of the Council.

5.3 Lead Councillors should keep the Council fully informed of progress and seek prior approval of any changes they deem advisable to actions or contracts previously authorised.

6 QUORUMS

6.1 **Council Meetings.** The Quorum for Council meetings shall be three Members.

6.2 **Committee and Sub-Committee Meetings.** The quorum for Committee or Sub-Committee meetings shall be three Members.

6.3 **Inquorate Procedure.** If during any meeting of the Council, the Chairman, after counting the number of Members present, and not debarred by reason of a declared interest, declares that there is not a quorum present for that particular agenda item, the meeting shall defer that item to another date.

7 ORDER OF BUSINESS

7.1 **Ordinary/Additional Meetings.** Except as otherwise provided for by paragraph 7.1 of this SO, the order of business at every meeting of the Council⁹ or Committee, other than the Annual General Meeting shall be:

7.1.1 To choose a person to preside if the Chairman and Vice-Chairman be absent.

7.1.2 To receive such Declarations of Acceptance of Office (if any) and undertaking to observe the Council's Code of Conduct as are required by law to be made or, if not then received, to decide when they shall be received.

7.1.3 To approve as a correct record and sign the Minutes of the last meeting of the Council.

7.1.4 To deal with any business required by statute to be done before any other business.

7.1.5 To adjourn and then re-convene the business of the meeting to allow for questions from the floor.

- 7.1.6 To allow Members or members of the public to make representations, answer questions, or give evidence as covered under paragraph 1.6 of the Parish Council's Code of Conduct.
- 7.1.7 To dispose of business (if any) remaining from the last meeting of the Council or Committees.
- 7.1.8 To receive Minutes of Committees or Sub-Committees.
- 7.1.9 To receive and determine recommendations of Committees, or Sub-Committees.
- 7.1.10 To answer questions asked under SO 9.
- 7.1.11 To consider Motions in the order in which notice has been received.
- 7.1.12 Other business, if any, specified in the summons.
- 7.1.13 Any other items that the Chairman decides are urgent.
- 7.1.14 To authorise the sealing of documents.

8 Changes to the Order of Business. Business falling under SO 7.1.1 to 7.1.8 shall not be displaced, but the order of business may be varied for urgent reasons by:

- 8.1 The Chairman of the meeting, at his discretion.
- 8.2 By a resolution passed on a Motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

8.3 Order of Business - Annual General Meeting. Including the provisions of SO 7.1.2, the order of business at the Annual General Meeting of the Council shall be:

- 8.3.1 To elect the Chairman.
- 8.3.2 To elect the Vice-Chairman.
- 8.3.3 To receive the Chairman's and Vice-Chairman's declarations of acceptance of office, or, if not then received, to decide when it shall be received.
- 8.3.4 In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations¹⁰.
- 8.3.5 To decide when any declarations of Acceptance of Office by Members other than the Chairman and Vice-Chairman as provided by law shall be received, if they have not been received before the start of the meeting (see SO 3.7).
- 8.3.6 To appoint Committees.
- 8.3.7 To appoint representatives to outside bodies and organisations.
- 8.3.8 To review the Terms of Reference of Standing Committees and these Standing Orders.
- 8.3.9 To deal with any business which is of an urgent nature that has arisen after the issue of the summons to the meeting, subject to the agreement of the Chairman.

9 MOTIONS

- 9.1 **Scope of Motions.** Every Motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the Parish.

- 9.2 Notices.** Notice of every Motion to appear on the agenda, other than a Motion which under SO 9.4 may be moved without notice, shall be given either in writing or email, signed by the Member or Members of the Council giving the notice, and delivered to the Clerk at the Parish Office, by 9.00 am on the sixth clear calendar day prior to the day of the meeting. The notice of Motion will be duly signed and dated by the Clerk, and noted in the order received. The name of the Member proposing the Motion, if possible, will be included on the agenda.
- 9.3 Promulgation and Withdrawal.** The Clerk shall set out in the summons for every meeting of the Council, all Motions of which notice has been duly given in the order in which they have been received, unless the Member giving such a notice intimated in writing, when giving it, that he/she proposed to move it at some later meeting, or has since withdrawn it in writing.
- 9.4 Motions and Amendments moved without notice.** The following motions and amendments may be moved without notice:
- 9.4.1 Appoint the Chairman of the meeting at which the notice is made.
 - 9.4.2 Motions relating to the accuracy of the Minutes, or to approve the Minutes.
 - 9.4.3 An item of business specified in the summons shall have precedence.
 - 9.4.4 Withdrawal of reference of a matter to a Committee.
 - 9.4.5 Appointment of a Committee or Members thereof, occasioned by an item mentioned in the summons of the meeting.
 - 9.4.6 Adoption of Minutes, reports and recommendations of Committees or officers and any consequent resolutions.
 - 9.4.7 That leave is given to withdraw a Motion.
 - 9.4.8 Extending or restricting the time limit for speeches.
 - 9.4.9 Amendment to Motions.
 - 9.4.10 That the Council proceed to the next business.
 - 9.4.11 That the question be now put.
 - 9.4.12 That the debate be closed or adjourned.
 - 9.4.13 That the Council be adjourned or reconvened.
 - 9.4.14 Authorising the sealing of documents.
 - 9.4.15 Suspending SOs, in accordance with SO 23.1.
 - 9.4.16 Motion under Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, to exclude the public.
 - 9.4.17 To silence or eject from the meeting a Member named for misconduct.
 - 9.4.18 That a Member named under SO 23.2 be not further heard, or to leave the meeting.
 - 9.4.19 Inviting a Member to remain under SO 17.3 (disclosable pecuniary interest).
 - 9.4.20 Giving consent of the Council where the consent of the Council is required by these SOs.

9.4.21 To deal with any business which is of an urgent nature that has arisen after the issue of the summons to the meeting, subject to the agreement of the Chairman.

9.5 **Moving a Resolution.** Except as provided for in SO 9.4, no Resolution may be moved unless the business to which it relates forms part of the summons for that meeting. When the item is reached on the agenda for the meeting the Motion is to be proposed by the mover of the Motion and seconded by a member of the Council or Committee before the matter is debated.

9.6 **Motion not moved.** If a Motion specified in the summons is not moved, either by the Member who gave notice of it, or by any other Member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

9.7 **Amendments to Motions.** An amendment shall be relevant to the Motion and shall be either:

9.7.1 To refer a subject of debate to a Committee for consideration or reconsideration.

9.7.2 To insert or leave out words, although such omission or insertion shall not have the effect of negating the Motion before the Council.

9.8 **Moving an Amendment.** If an amendment is carried, the Motion as amended shall take the place of the original Motion and shall become the Motion upon which any further amendment may be moved.

9.9 **Lost Amendment.** If an amendment is lost, the original Motion stands. Other amendments on the original Motion may be moved provided they are proposed and seconded.

9.10 **Motions/Amendments under Debate.** When a Motion is under debate no other Motion shall be moved except the following:

9.10.1 To amend the Resolution.

9.10.2 To adjourn the debate.

9.10.3 To proceed to the next business.

9.10.4 That the question be now put.

9.10.5 That a Member be not further heard.

9.10.6 That a Member named do leave the meeting.

9.10.7 That the Resolution be referred to a Committee.

9.10.8 To exclude the public and press.

9.10.9 To adjourn the meeting.

9.11 **Automatic Reference to Committee.** If the subject matter of a Motion comes within the province of a Committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such Committee or to such other Committee as the Council may determine for report. The Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

9.12 **Motions - Expenditure.** Any Motion which is moved other than in pursuance of a recommendation or report of a Committee and which, if carried, would materially increase the expenditure upon any service which is under the management of, or reduce the revenue under the management of, any Committee, or would involve capital

expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council. Any Committee affected by such a Motion shall consider whether it desires to report thereon. Orders for payment of money shall be authorised by Resolution of the Council as set out in Financial Regulations. The Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

- 9.13 **Motions - Persons Employed by the Council.** If any question arises at a meeting of the Council or of a Committee (including any Sub-Committee to which the public are admitted) as to the appointment, promotion, dismissal, salary, pension or other conditions of service, or as to the conduct of any persons employed by the Council, a motion under Section 100 (A) (4) of the Local Government Act 1972 to exclude the public and the press shall be moved by the Chairman, seconded and put without debate.

10 QUESTIONS

- 10.1 **General Questions.** A Member of the Council may ask the Chairman of any Committee any question on any matter in relation to which the Council has powers or duties or which affects the Parish, providing three clear working days' notice has been given to the Clerk.

- 10.2 **Council and Committee Meetings.** A Member of the Council may:

10.2.1 With the permission of the Chairman, put to him or the Chairman of any Committee any question relating to urgent business, of which such notice has not been given, but a copy of any such question shall be delivered to the Clerk not later than 9.30 am in the morning of the day of the meeting.

10.2.2 Ask the Chairman of a Committee any question upon an item of the report of a Committee when that item is under consideration by the Council.

10.2.3 Ask or answer questions during public question time as a Member of the public, or attend a meeting to make representations, or give evidence relating to any prejudicial interest in the business of the Council provided that the public are allowed to attend the meeting for the same purpose, as set out on the agenda for Council meetings (see SO 2.8 and 2.9).

- 10.3 **Procedure for Questions at Meetings.** Every question shall be put and answered without discussion. Supplementary questions may be asked arising from the answer given. The answers shall not be discussed.

- 10.4 **Answers to Questions at Meetings.** An answer may take the form of:

10.4.1 A direct oral answer.

10.4.2 Where the desired information is contained in a publication of the Council, a reference to that publication.

10.4.3 Where the reply to the question cannot conveniently be given orally, a written answer will be provided:

10.4.4 To Members. To be circulated to all Members of the Council/Committee usually within 10 working days of the meeting.

10.4.5 To members of the Public. Usually within 10 days of the meeting.

10.4.6 Where the answer to a Member's question would reveal exempt information¹¹ to move a Motion under Section 100 (A) (4) of the Local Government Act 1972 to exclude the public and the press in order that the answer may be given to the Member concerned.

10.4.7 Where the answer to a member of the public's question would reveal exempt information, inform the member of the public, orally, that the question would reveal exempt information.

10.4.8 Where an answer to a financial question is required, submit it in writing to the Responsible Financial Officer of the Council.

10.5 **Answers to communications from the Public.** No response on behalf of the Council is to be given to anonymous enquiries, telephone calls or correspondence. Members of the Council (when acting in a personal capacity, not as a representative of the Council) are strongly recommended to use their discretion in handling such approaches and only respond with care and caution.

11 MINUTES AND REPORTS OF MEETINGS

11.1 **Minutes.** The Minutes of Council or Committee meetings are to be prepared by the Clerk/Officer providing the clerical support to the Council or Committee at that time. In the absence of the Clerk/Officer for all, or part of a meeting, then a Councillor is to take and prepare the minutes subject to the agreement of the Council or Committee. The format of the formal minutes is at the prerogative of the Clerk/Officer or Councillor responsible for taking and publishing the minutes of the meeting. Decisions which have been Minuted and published may be acted upon prior to official confirmation of the Minutes at the next meeting of the Council or a Committee.

11.2 **Presentation and Procedures - Council Minutes.** The Chairman of the Council shall:

11.2.1 Put the question under the appropriate item of business "that the minutes of the Council held on theday of shall be approved as a correct record."

11.2.2 Refer to each page of the minutes. Any question of their accuracy shall be raised by Motion. Corrections to the minutes shall be made by Resolution and must be initialled by the Chairman. No discussion shall take place upon the minutes, except upon their accuracy.

11.2.3 If no such Motion is raised, or if it is raised, then as soon as it has been disposed of, the Chairman shall sign the minutes.

11.3 **Presentation of Committee Minutes and Reports at Council Meetings.** The Chairman or Vice-Chairman of a Committee (or in their absence or default, by any other Member of the Committee) shall present the recommendations of each Committee in the order set out in the order of business for the Council meeting.

11.4 **Procedures for Questions on Committee Minutes or Reports.** The procedure is as follows:

11.4.1 If a Member has a question, Motion or amendment to raise, or make, on an item presented, he or she shall do so immediately the item has been called by raising their hand to attract the attention of the Chairman of the Council and stating the item, item number, or matter presented.

11.4.2 Once disposed of, the Chairman of the Committee or person nominated will move that: "the minutes of the Committee held on be received and recommendations be adopted."

11.5 **Signing of Council/Committee Meeting Minutes.** The Minutes of any meeting of the Council or a Committee shall be signed at the time that they are presented at the Council or Committee or at the next ordinary meeting⁹ of the Council or Committee.

⁹ If these measures fail to fill outstanding vacancies, a further election must be held unless there appears to be no immediate prospect of filling them, in which case it may be necessary to fill vacancies by appointment.

- 11.6 **Distribution of Minutes and Reports.** Copies of minutes and reports of all Committees shall be sent to each member of the Council by the date of the issue of the Council summons or despatched with the agenda for the next ordinary Council meeting. In the case of urgency they may be issued between the dispatch of the summons and the Council meeting.
- 11.7 **Supporting Documentation.** When a Minute or report of a Committee refers to a plan or document not issued to all Members, a member shall be entitled, between the dispatch of the summons and the Council meeting, to inspect the plan or document.

12 DEBATE

- 12.1 **Provisions.** Debate may only take place when a Motion or amendment has been proposed and seconded, and notice has already been given in accordance with SO 9.1 and 9.3. Only one amendment to a Motion may be moved and discussed at a time, and no further amendments shall be moved until the amendment under discussion has been disposed of.
- 12.2 **Members wishing to speak.** A Member wishing to speak shall raise his hand and then address the Chairman. If two or more Members raise their hands, the Chairman shall call upon them to speak in turn.
- 12.3 **Relevance and Length of Speeches.** A Member shall direct his speech to the question under discussion, or to a personal explanation, or to a point of order. No speech shall exceed five minutes in the case of the mover of a Motion, and three minutes in all other cases except by consent of the Council.
- 12.4 **Reply.** The mover of a Motion has a right to reply at the close of the debate on the Motion, immediately before it is put to the vote.
- 12.5 **Time to Speak.** A Member, other than the mover of a Resolution, shall not, without leave of the Council or Committee, speak more than once on any Resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- 12.6 **Points of Order and Explanations.** A Member may make a point of order or personal explanation. A Member making a point of order shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him or her, which may have been misunderstood. A Member may raise a point of order relating only to an alleged breach of a SO or statutory provision, and must specify which it is and how he or she considers it to have been broken.
- 12.7 **Chairman's Ruling.** The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

13 DISTURBANCES BY MEMBERS OF THE PUBLIC

- 13.1 **Interruption.** If a member of the public interrupts the proceedings at any meeting, the Chairman shall warn him/her. If the interruption continues, the Chairman shall order his/her removal from the meeting.
- 13.2 **General Disturbance.** In the case of general disturbance in any part of the meeting room open to the public, the Chairman shall order that part to be cleared.

14 RECISION OF PRECEDING RESOLUTIONS

- 14.1 **Recision.** A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by:

- 14.1.1 a special Resolution, the written notice whereof bears the names of at least three Members of the Council, or
- 14.1.2 by a Resolution moved in pursuance of the report or recommendation of a Committee.
- 14.2 **Special Resolutions.** When a special Resolution moved under the provisions of SO 14.1 above has been disposed of, no similar resolution may be moved within a further six months.

15 VOTING

- 15.1 **System.** The mode of voting at meetings of the Council, or of any of its Committees or Sub-Committees shall be by a show of hands unless otherwise decided by the Council or committee.
- 15.2 **Casting Vote.** In the case of an equality of votes, the person presiding at the meeting shall have a second, or casting vote even though he/she may not have given an original vote. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman. If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for statutory provision which preserves the membership of the Chairman and Vice-Chairman until the end of their office he/she may not give an original vote in an election for Chairman.
- 15.3 **Record of Voting.** If any Members so request, the Minutes of that meeting shall show whether Members cast their votes for or against the motion, or whether they abstained from voting. Such a request must be made before moving on to the next business.
- 15.4 **Voting on Motions referred to Committees.** A Member who has proposed a Motion, which has been referred to any Committee of which he/she is not a member, may explain his resolution to that Committee, but may not vote unless a dispensation has been given by the Clerk.
- 15.5 **Voting on Appointments.** Where more than two persons have been nominated for any position to be filled by the Council, and there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be removed from the list. A fresh vote will then be taken, and so on until an absolute majority of votes is given in favour of one person.
- 15.6 **Voting by Ballot Paper.** Voting will be by ballot paper for the co-option of a Parish Councillor or where two or more persons have been nominated to fill positions on or by the Council.

16 RECORD OF ATTENDANCE

- 16.1 Every Member of the Council attending a meeting of the Council, or of any of its Committees of which he/she is a Member, shall have their name recorded in the notes/minutes of that meeting.

17 INTERESTS/CONDUCT

- 17.1 **Guidance.** Members will be governed by the provisions of the Parish Council's Code of Conduct (Annex D of these SOs).
- 17.2 **Training.** Code of Conduct training is suggested for all Members, who will be expected to attend a training session conducted by Hampshire Association of Local Councils.

17.3 Disclosable Pecuniary Interests.

- 17.3.1 If any Member has any disclosable pecuniary interest, direct or indirect, within the meaning of the Schedule to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, made by the Secretary of State in accordance with Section 30 of the Localism Act 2011 (“the Localism Act”), he/she shall while it is under consideration by the Council, withdraw from the meeting, unless a dispensation has been granted by the Clerk (Proper Officer). A Member may not participate in any discussion of, nor vote on, nor discharge any function related to any matter in which he/she has a disclosable pecuniary interest as set out in the Members Code of Conduct. A Member must, as soon as it becomes apparent that he/she has an interest (save for the circumstances set out in 17.3.2 (below) and/or Appendix 2 to Annex D of the Councillors Code of Conduct withdraw from the meeting where the business is being held and must not seek improperly to influence a decision about that business.
- 17.3.2 Where a Member has a disclosable pecuniary interest in the business of the Council, he/she may, notwithstanding such disclosable pecuniary interest, attend such meeting for the purpose of making representations, answering questions or giving evidence relating to such business, provided members of the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
- 17.3.3 Members are to register their interests annually with the Clerk and a copy is to be sent to Hart District Council. Members, in an election year, are to have submitted a completed Register of Interests Form before attending any meeting of the Council or Committee. Persons that are co-opted to the Council or a Committee are to submit a completed Register of Interests Form before participating in any meeting of the Council or Committee. The Clerk shall keep the register of interests in a book to be kept for the purpose of any interest that has been recorded with the Monitoring Officer at HDC, and the register shall be open to inspection of any member during the public opening times of the Parish Office by appointment with the Clerk.
- 17.4 **Appointments/Relationship.** If a candidate for any appointment under the Council is to his/her knowledge related to any Member of a holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a Member is disclosed SO 17.1 shall apply. The Clerk shall make known the purport of this SO to every candidate.
- 17.5 **Appointments/Soliciting.** A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, Members may give a written testimonial for submission to the Council with an application for appointment.
- 17.6 **Appointments/Canvassing.** The influencing by Members of any Committee, directly or indirectly, for any appointment of an employee under the Council shall disqualify the candidate for such appointment. Any individual who becomes a candidate for any appointment under the Council will be informed of this SO by the Clerk. If there are suspicions or circumstances which indicate that this may have happened, the matter will be reported to the Clerk who is to deal with the matter under SO 22.
- 17.7 **Exempt/Confidential Business.** No Member of the Council or of any Committee or sub-committee or employee shall disclose to any person not a Member of the Council any business declared or published as exempt¹⁰ or confidential¹¹ by the Council, Committee or sub-committee, or the Clerk. Any Member in breach of this SO shall be

removed from any committee or sub-committee of the Council by the Council. An employee in breach of this SO will be dealt with under the Disciplinary Policy.

- 17.8 **Implied Contracts.** All formal documents related to Council business shall be issued by the Clerk and Councillors must be very careful to avoid any statements that might be construed as offering an implied contract.

18 OFFICERS' RESPONSIBILITIES

- 18.1 **Proper Officer.** The Proper Officer of the Council shall be the Clerk, whose job description shall include all requirements for that office specified in statute, regulation or order.
- 18.2 **Responsible Financial Officer (RFO).** The Responsible Financial Officer of the Council shall be the RFO, whose job description shall include all requirements for that office specified in statute, regulation or order.
- 18.3 **Additional Responsibilities.** The Clerk shall report to the Chairman of the Council on any matter not expressly covered by this SO or their Contract of Employment, and/or policies covering Health & Safety, Equal Opportunities, Discipline, Complaints and/or Grievances.
- 18.4 **Suspension of Officers.** If any officer is suspended for the purpose of investigating alleged misconduct occasioning the action; then such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect, unless administrative action taken in accordance with employment legislation determines otherwise.

19 DOCUMENTS

- 19.1 **Inspection of Documents.** Any Member of the Council may inspect, for the purposes of their duty as such (but not otherwise), any document in possession of the Council or Committee, and if available, on request, be supplied for the like purpose with a copy. This includes all Minutes kept by the Council and by any Committee.
- 19.2 **Copying Documents.** A Member shall not knowingly inspect and shall not call for a copy of any document under paragraph 19.3 of this SO relating to a matter in which he is professionally interested, or in which he has directly or indirectly any pecuniary interest within the meaning of Section 95 of the Local Government Act 1972.
- 19.3 **Special Handling of Documents.** The following procedure is to be followed when handling "EXEMPT" and "CONFIDENTIAL" documents. Such documents shall state the originator. Downgrading of such documents shall rest with the originator, or Council and shall only be disclosed to a third party by permission of the originator or Council:
- 19.3.1 Whether a document is "EXEMPT" or "CONFIDENTIAL" is determined by the Local Government Act of 1972, Freedom of Information Act, Data Protection Act 2018, as amended and these SOs.
- 19.3.2 All pages of "EXEMPT" and "CONFIDENTIAL" documents will be marked as such on the header or footer of each page of the document together with the date of preparation.
- 19.4 **Copying and Distribution of Documents.** When copies of documents are distributed to Members or persons authorised to be given copies of the document by the Clerk:
- 19.4.1 "EXEMPT" copy documents will be distributed by attaching the document to the Members timed agenda. Where considered sufficiently sensitive as to content the document will be enveloped.

19.4.2 “CONFIDENTIAL” copy documents will be distributed by attaching the document to the Members’ timed agenda and in a sealed envelope.

19.4.3 “EXEMPT” and “CONFIDENTIAL” copy documents should be destroyed as soon as possible after the meeting.

19.4.4 Electronic copies shall also be deleted.

19.5 **Declining Inspection.** SO 19 shall not preclude the Clerk from declining inspection of any document which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.

19.6 **Reports and Minutes.** All reports made, or Minutes kept by any Committee shall, as soon as the Committee has concluded action on the matter to which such reports or Minutes relate, be open for the inspection of any Member of the Council except where reports or correspondence by their nature are exempt or confidential.

20 PROVISION OF INFORMATION

20.1 **Access to Information.** The Council is subject to the Freedom of Information Act 2000 and the General Data Protection Regulation May 2018. Access will be given to information in accordance with both Acts and as set out in the Parish Council’s Model Publication Scheme, provided the Parish Council hold that information. The Model Publication Scheme is available on the website and available for inspection by members of the public on request. Copies will be provided subject to the appropriate payment being made to the Parish Council.

20.2 **Release of Information.** No member or employee is to release any information concerning the Parish Council to any party unless that information is included in the Parish Council’s Model Publication Scheme which is to be provided to all Councillors. Advice is to be sought from the Clerk to the Council prior to release of such information.

20.3 **Requests for Information under the Freedom of Information Act 2000 – Special Categories.** Where a request is made for exempt or confidential information under the Freedom of Information Act 2000 (either an “absolute exemption” or “qualified exemption”) and there are any concerns or issues arising that might result in a refusal to release that information, then the matter is to be referred to the next Parish Council meeting, if necessary under urgent business bearing in mind the response times to meet requests for information. The Clerk to the Council is to seek appropriate advice from the Information Commissioner and other relevant organisations and the Parish Council solicitor as required.

20.4 **Exempt Information.** Exempt Information, as described under the Local Government Act 1972, as amended, will normally be discussed as part of an exempt session of the Parish Council or the appropriate Committee meeting, or at a meeting between Council representatives and employees. Any such information passed to members, employees, or any other party in writing will be annotated “EXEMPT”.

20.5 **Confidential Information.** Information relating to individuals, investigations, complaints, grievances, and disciplinary matters, is to be classed as “CONFIDENTIAL”.

21 LANDS AND PREMISES

21.1 No Member of the Council or of any Committee or Sub-Committee shall:

21.1.1 In the name of or on behalf of the Council formally inspect any lands or premises, which the Council has a right or duty to inspect, unless authorised by the Council.

21.1.2 Issue orders to do so unless authorised by the Council or the relevant Committee or sub-committee.

22 COMPLAINTS AND GRIEVANCES

- 22.1 **Maladministration.** The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or Member in the manner recommended by the National Association of Local Councils (NALC).
- 22.2 **Complaints by Members of the Public.** The Council will deal with complaints as set out in accordance with current Council policy.
- 22.3 **Complaints/Grievances by Councillors/Staff.** The Council will deal with any complaint or grievance under the current Council policies.
- 22.4 **Failure to observe the Code of Conduct.** In the event that any Member feels obliged to make a complaint about a Councillor in relation to a possible failure to observe the Code of Conduct, they are to make, in the first instance, their complaint in writing to the Chairman of the Council with a copy to the Clerk (or if it involves the Chairman or in his/her absence, to the Vice-Chairman). The Clerk is to seek advice from the Monitoring Officer at HDC on the most appropriate way to handle the complaint.

23 DISORDERLY CONDUCT

- 23.1 **Provisions.** No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- 23.2 **Breaking the Provisions.** If, in the opinion of the Chairman, a Member has broken the provisions of SO 23.1, the Chairman shall express that opinion to the Council and thereafter any Member may move a Motion that the Member named be no longer heard or that the Member named do leave the meeting, and the Motion, if seconded, shall be put forth with and without discussion.
- 23.3 **Suspension of Member.** If the Motion mentioned in SO 23.2 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce it.

24 SUSPENSION, VARIATION, AND REVOCATION OF STANDING ORDERS

- 24.1 **Suspension of Standing Orders.** Any or every part of these SOs, except those laid down by Statute and herein noted by use of a footnote stating this, may be suspended by resolution in relation to any specific item of business.
- 24.2 **Variation/Revocation of Standing Orders.** A resolution permanently to add, vary or revoke a SO, where it is of an urgent nature, shall be considered at the next appropriate meeting of the Parish Council. Prior to a review of SOs, the Clerk of the Council is to provide an amended draft copy to all members, if possible, at least two months prior to the date on which the draft will be considered by the Parish Council.

25 RESIGNATIONS

- 25.1 **Chairman of the Council.** If the Chairman wishes to resign his position of Chairman of the Council he must present his notice of resignation to the Parish Council.
- 25.2 **Other Members.** Other members may resign from a Committee or from the Council by submitting notice of their resignation, in writing or by email, to the Clerk.

26 INVESTIGATIONS

- 26.1 **General.** Any matter that the Clerk of the Council believes should be investigated, should normally be:
- 26.1.1 Reported to Chairman and Vice-Chairman of the Council and copied to all the Members of the Council.
 - 26.1.2 Any subsequent action is to be agreed by the Chairman and Vice-Chairman of the Council with the support of the Chairman of the appropriate Committee or placed on the next Council Meeting agenda as an exempt item.
 - 26.1.3 All members of the Council will be informed as to the decision taken and advised as to the reasons for the investigation and basis for the decision to so investigate.
- 26.2 **Council Policies.** Any investigation required i.e. Complaints, Grievance, or Disciplinary matters shall be investigated as set out in the relevant Council Policy.
- 26.3 **Investigation Procedure.** Should an investigation be required other than that set out in any other policy document of the Council then the following procedure will be followed:
- 26.3.1 The Chairman or Vice-Chairman (should it involve the Chairman or in his/her absence) will consider the urgency of the issues involved and if considered necessary appoint a Member of the Council to be Chairman of Investigation as soon as possible. If it is feasible to wait for the next Parish Council meeting, the matter will be placed on the agenda under exempt items and the Chairman of the investigation and supporting Member appointed by the full Council.
 - 26.3.2 The Chairman of the Investigation will arrange for the investigation to be carried out usually within 21 days of his/her appointment. The terms of the Investigation will be agreed between the Chairman of the Parish Council and the Investigation Chairman. The terms will include the reason for the investigation, the known facts and which persons are to be interviewed. The Chairman of the Investigation will send to each person a document setting out the Terms of the Investigation and how it is intended that the investigation will be conducted. He will also establish appropriate and reasonable location and time for the interviews to take place. If it is required by the terms of the Investigation, or requested by an interviewee, a written record of the meeting together with copies of documents and other supporting evidence relevant to the investigation will be taken and filed in the Parish Office. For this purpose and at the Investigation Chairman's discretion, either a non-investigating Member of the Council or an Officer of the Council will take the record.
 - 26.3.3 Investigative interviews are to be held in Council meeting facilities. No interviews are to be conducted over the telephone. The Member(s) and employee(s) may be accompanied at an investigation by a representative (an employee may be represented by a member of the trade union to which they belong who may or may not be a work colleague), or by a work colleague, friend or adviser not acting in a legal capacity. The Member(s) and employee/s should advise the Council who their representative is prior to the start of the investigation. Whilst the representative can speak at the investigation and ask questions, he or she cannot answer questions for the Member(s) or employee(s).
 - 26.3.4 An investigation report will be written by the Chairman of the Investigation and submitted to the Chairman of the Council (or Vice-Chairman), and copied to all those involved.
 - 26.3.5 The Chairman or Vice-Chairman on receipt of an investigation report, will arrange for the report to be submitted to the Council with his/her recommendation as to the action to be taken, having taken appropriate advice.

ANNEX A TO CVPC STANDING ORDERS

PLANNING COMMITTEE

Terms of Reference (Revised April 2019)

1. INTRODUCTION

1.1. The Planning Committee acts on behalf of the Parish Council as a statutory consultee body to Hart District Council (the local Planning Authority) for all planning applications that relate to the parish area and to adjacent parishes. The Planning Committee is also delegated to respond to planning appeals and enforcement issues. Attendance at meetings with Planning Officers and attendance at Hart Council Development Control (planning) Meetings is a duty of the Chairman of the Planning Committee or a delegated representative in his absence. The Chairman will advise Members of the Council of any invitation to pre-application presentations by developers. It will be the decision of the Chairman and any interested Members of the Council to attend such presentations which will not be construed in any way as being seen to favour any developer nor is there to be any commitment that the Council will support a subsequent planning application.

2. MEMBERSHIP

2.1. Membership shall consist of those Members of the Full Council appointed to serve on the Committee at the Annual General Meeting in each year. All Members so appointed shall be voting Members of the Planning Committee and membership shall consist of 4 voting members, ideally including one representing each ward of the parish. The quorum shall be 3 Members and in the event that an appointed Member cannot attend any other named Member of the Council may deputise. The Chairman of the Planning Committee will be elected by the Members at the Annual General Meeting of the Council. If the number of Councillors present (not including those debarred by reason of a declared interest) falls below the required quorum for a particular agenda item, the meeting shall defer that item to another date. The Officer to the Planning Committee shall be the Responsible Financial Officer.

3. AREAS OF RESPONSIBILITY

3.1. The Planning Committee has delegated authority from Crookham Village Parish Council:

3.1.1. To make representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with the Local Government Act 1972, Section 20, Schedule 16 and other relevant legislation or any other application which in the opinion of the Planning Committee, contains elements which might affect the parish.

3.1.2. To make representations in respect of appeals against the refusal of planning permission to which the Council has previously responded as statutory consultee or where it has emerged after refusal that approval would affect the parish..

3.1.3. To identify and make representations to the relevant authorities in respect of enforcement action or any matters considered to be breaches of planning regulations.

3.1.4. To monitor, review and where necessary make recommendations to the Council for amendments to the planning consultation procedure.

3.1.5. To deal with any other planning related matter that a meeting of the full Council considers appropriate to be referred to the Planning Committee.

4. All powers shall be exercised in accordance with any Standing Orders, policy adopted, or directions given, by Crookham Village Parish Council. All power and duties of the Council in respect of the powers conferred on it from time to time under the Town and Country Planning Acts and the Orders and Regulations including development control and the local plan process remain with the Full Council of Crookham Village Parish.
5. **PLANNING APPLICATIONS**
 - 5.1. Planning Applications shall be notified to Planning Committee Members by email as soon as possible after receipt from the Local Planning Authority (LPA).
 - 5.2. All applications will be considered at meetings in public, the Minutes of which shall include the agreed response to be made to the LPA.
 - 5.3. The timing and location of meetings shall be decided by the Chairman in consultation with the Officer to the Committee and other Members. Minor applications will normally be dealt with in the Meeting Room at Zebon Copse Centre. Major applications will be dealt with by Full Council either in Zebon Copse Centre or the WI Hall as decided by the Chairman.
6. Agendas of meetings shall be displayed on Parish notice boards for at least 3 days in advance of the meeting and copies delivered to near neighbours as appropriate.
7. **REVIEW**
8. The Planning Committee is to review its Terms of Reference annually and submit these ToRs to Full Council at the Annual General Meeting of the Parish Council for ratification.

ANNEX B TO CVPC STANDING ORDERS

FINANCE & HUMAN RESOURCES COMMITTEE

Terms of Reference

(Revised April 2019)

1. The Finance & Human Resources Committee Terms of Reference define the role in which the Committee and Councillors therein are to consider issues and operate as a Committee of Crookham Village Parish Council (the Council).
2. The following terms of reference provide a wide range of subject matters under Finance & Human Resources and shall not be limited to the listed items as this remit may change.
3. The Finance & Human Resources Committee (FHRC) will comprise the Responsible Financial Officer and 4 Councillors, including the Chairman of the Council. It will elect a Chairman at the Annual General Meeting of Crookham Village Parish Council. A Quorum will be 3 voting members of the FHRC. In the event of notified absence of any member of FHRC then a Member of the Council can be co-opted to deputise for that meeting.
4. The FHRC will work within the Financial Regulations adopted by the Council (Annex C to the Council's Standing Orders).
5. Meetings to occur at least once a month, excluding the Council's normal summer recess.
6. Minutes of meetings to be produced and circulated to all Councillors.
7. The FHRC will have an overview of all personnel matters, including
 - 7.1.1. Contracts of Employment and Job Descriptions.
 - 7.1.2. Annual review of Salaries.
 - 7.1.3. Recruitment and appointment procedures.
 - 7.1.4. Matters relating to staff under the Health & Safety at Work legislation.
8. The FHRC will review the budget no later than the end of December each year to produce a Draft Budget and Precept for recommendation to the Council at its January meeting. All Councillors will be required to submit costed proposals for any proposed projects to the FHRC in advance of the December meeting.
9. The FHRC will review Insurance cover annually and make recommendations to the Council.
10. The FHRC will ensure the proper management of all property owned or leased by the Council, and will be responsible for the strategic and routine maintenance of such property.
11. The FHRC will approve transfers between bank accounts when required on the Council's behalf.
12. The FHRC will review all investments and make recommendations to the Council.
13. The FHRC will review the Annual Return each year before presentation to the Council.
14. The FHRC will recommend to the Council measures to meet the requirements of the external auditor and advise the Council on appropriate response.
15. The FHRC will obtain tenders for any work required within the parameters set by the Council.

- 15.1.1. Specifying the standards and other terms to be applied within the tender documents.
- 15.1.2. Selection of tenderers.
- 15.1.3. Assessment of bids and award of contracts.

In the case of services undertaken or to be undertaken by external contractors, to be responsible for:

- 15.1.4. Monitoring of contractors' performance.
 - 15.1.5. Adjustment of standards or variation of contract terms if appropriate.
 - 15.1.6. All such action as may appear necessary in connection with unsatisfactory performance under the relevant contract.
16. The FHRC is to monitor cash flow against the Council's approved budget throughout the year.
 17. The FHRC is to recommend loans and grants to meet the capital requirements of the Council for such amounts and on such terms as are considered necessary.
 18. The FHRC will monitor all Financial Reporting Standards produced by the UK accounting bodies and incorporate where relevant.
 19. The FHRC will deal with any other matters that may require urgent attention under the above remit.
 20. Delegated authority is given to the Chairman of the FHRC and the Clerk to sign contracts up to the agreed value after approval by the FHRC.
 21. Delegated authority is given to Councillors and Officers for ad hoc purchase of duly authorised expenditure against their own funds for reimbursement by the Council.
 22. Delegated authority is specifically given to the Responsible Finance Officer to make routine payments provided they are not greater than the amount approved in the budget.
 23. Delegated authority is specifically given to the Responsible Finance Officer to release funds for Utilities expenditure.
 24. All sums disclosed in minutes, unless specifically stated otherwise, will exclude VAT.
 25. The FHRC is to review its Terms of Reference annually and submit these to Full Council at its Annual General Meeting for ratification.

ANNEX C CVPC STANDING ORDERS

FINANCIAL REGULATIONS

(Revised April 2019)

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of financial control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. These financial regulations are designed to demonstrate how the Council meets these responsibilities.
- 1.2. The Responsible Financial Officer (RFO) is a statutory office and shall be appointed by the Council. The RFO, acting under the policy direction of the Council, shall administer the Council's financial affairs in accordance with proper practices. The RFO shall determine on behalf of the Council its accounting records, and accounting control systems. The RFO shall ensure that the accounting control systems are observed and that the accounting records of the Council are maintained and kept up to date in accordance with proper practices.
- 1.3. The RFO shall produce financial management information as required by the Council.
- 1.4. At least once a year, prior to approving the annual return, the Council shall conduct a review of the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.5. In these financial regulations, references to the Accounts and Audit Regulations shall mean the latest Regulations issued under Accounts & Audit (England) Regulations 2011/817.
- 1.6. In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in Governance and Accountability in local Councils in England and Wales – a Practitioners' Guide which is published jointly by NALC and SLCC and updated from time to time.
- 1.7. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.8. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.

2. ANNUAL ESTIMATES (BUDGET)

- 2.1. Proposals shall be submitted to the Council in respect of revenue and capital expenditure including the use of reserves and sources of funding for the following financial year not later than the annual budget meeting.
- 2.2. Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the Council.
- 2.3. The Council shall approve the budget each year and shall fix the Precept to be levied for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each Member with a copy of the approved budget.

- 2.4. The annual budgets shall form the basis of financial control for the ensuing financial year.
- 2.5. The Council shall consider the need for and shall have regard to a three year forecast of Revenue and Capital Receipts and Payments which may be prepared at the same time as the annual Budget.

3. BUDGETARY CONTROL

- 3.1. Expenditure on revenue items may be incurred up to the amounts included for that class of expenditure in the approved budget and any two councillors may sign off purchase orders to the value of £1,000.
- 3.2. No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure without prior approval of the Council. If the Council consider additional expenditure is necessary under a budget heading then money can be vired from another budget heading following approval from the full Council once the implications have been fully considered. During the budget year and with the approval of Council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate.
- 3.3. The RFO shall regularly provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter.
- 3.4. The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1000. The Clerk shall report the action for ratification to the Finance Committee as soon as practicable thereafter. Once the limit has been reached, no further expenditure shall be incurred without authority from the Finance Committee.
- 3.5. Delegated authority is given to the Responsible Finance Officer to spend up to a maximum of £500 for budgeted items and make advance payments as necessary, to be refunded against an authorisation by either FHRC or the Council. Any items purchased in the month are to be submitted to the FHRC at its next meeting for retrospective approval and reimbursement against invoice.
- 3.6. Delegated authority is given to the Zebon Community Centre Managers to authorise expenditure up to a maximum of £100 per month for urgent purchases required for the Zebon Community Centre.
- 3.7. Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by Resolution of the Council.
- 3.8. No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained.
- 3.9. All capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts (section 11).

4. ACCOUNTING AND AUDIT

- 4.1. All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the latest Accounts and Audit (England) Regulations 2011/817.
- 4.2. The RFO shall complete the annual financial statements of the Council, including the Council's annual return, as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
- 4.3. The RFO shall complete the Accounts of the Council contained in the Annual Return and shall submit the Annual Return for approval and authorisation by the Council within the timescales set by the Auditors.
- 4.4. The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with proper practices. Any officer or Member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 4.5. The Internal Auditor shall be appointed by and shall carry out the work required by the Council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year. In order to demonstrate objectivity and independence, the internal auditor shall be free from any conflicts of interest and have no involvement in the financial decision making, management or control of the Council.
- 4.6. The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998 and the Accounts and Audit Regulations.
- 4.7. The RFO shall, as soon as practicable, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5. BANKING ARRANGEMENTS AND CHEQUES

- 5.1. The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency and security.
- 5.2. A schedule of the payments required, forming part of the Agenda for the Meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to Council. If the schedule is in order it shall be authorised by a resolution of the Council and shall be initialled by the Chairman of the Meeting. If considered to be appropriate the detail of all invoices passed for payment may be shown in the minutes of the meeting
- 5.3. Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4, shall be signed by two authorised members of Council. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 5.4. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each

also initial the cheque counterfoil and the invoice as evidence of agreement. On a quarterly basis the Chair of the Finance Committee shall initial the bank reconciliation as evidence of agreement.

- 5.5. If thought appropriate by the Council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members and any payments are retained and reported to the Council. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.
- 5.6. If thought appropriate by the Council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories and any evidence of payments are retained and reported to Council. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Council at least every two years.
- 5.7. If thought appropriate by the Council payment for certain items may be made by internet banking transfer provided evidence is retained showing which Members approved the payment.
- 5.8. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other Councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all Members immediately and formally to the next available meeting of the Council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 5.9. No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 5.10. Regular back-up copies of the financial records on any computer owned by the Council shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 5.11. The Council, and any Members using computers for the Council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 5.12. Where internet banking arrangements are made with any bank, the Chairman and Vice-Chairman shall be appointed as the Service Administrators. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts.
- 5.13. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations. The Security details of any associated chip-and-pin card and reader should be similarly protected.
- 5.14. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and must be signed by two of the authorised administrators. The new account details can then be set up on bank line by the RFO and subsequently checked by the administrators. A programme of regular checks of standing data with suppliers shall be followed.

- 5.15. No debit card may be authorised for use with the Council's account without prior approval by full council with clearly defined spending limitations enforced by the bank and the Council.
- 5.16. Should any of the principals operating CVPC finances be unavailable for an excessive period, the following procedures shall apply:
 - 5.16.1. RFO: the local auditor shall be invited to operate the Council's account until the RFO returns or a replacement has been engaged.
 - 5.16.2. Chairman or Vice Chairman: a replacement councillor shall be authorised by full Council and authority transferred by the bank to the new service administrator.

6. PAYMENT OF ACCOUNTS

- 6.1. All payments shall be effected by cheque or other order drawn on the Council's bankers.
- 6.2. All invoices for payment shall be examined, verified and certified by the RFO. The RFO shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved. Two Councillors to check and initial invoices when the cheques are signed.
- 6.3. Where expenditure relates to Section 137/139 payments these are to be detailed in the Minutes of Full Council and a Resolution noted as follows: "RESOLVED: That the Council in accordance with its powers under section 137 and 139 of the Local Government Act 1972, should incur the following expenditure which, in the opinion of the Council, is in the interests of the area of its inhabitants and will benefit them in a manner commensurate with said expenditure.
- 6.4. The RFO shall examine invoices in relation to arithmetic accuracy and shall analyse them to the appropriate expenditure heading. The RFO shall take all steps to settle all invoices submitted, and which are in order, at the next available Council Meeting.
- 6.5. If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Council, where the RFO certifies that there is no dispute or other reason to delay payment, the RFO may (notwithstanding para 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 6.6. Expenses will be paid to Councillors in accordance to the expenses policy agreed at the Parish Council meeting minute 82/11 on 26th April 2011.
- 6.7. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses (to a limit of £100). Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- 6.8. The RFO shall maintain as petty cash a float of up to £150 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
- 6.9. Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- 6.10. Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to Council under 5.2 above.
- 6.11. If thought appropriate by the Council, payment for authorised expenditure may be made by personal cheque or credit card. Any such payments shall be reported to Council as made before reimbursement.

6.12 Any approval for the use of a variable Direct Debit shall be renewed by resolution of the Council at least every two years.

7 PAYMENT OF SALARIES

7.1 As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE, pensions and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE, Pensions and National Insurance currently operating, and salaries shall be as agreed by Council.

7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to and ratified by the next available Meeting of the FHRC.

7.3 Invitation to enter the workplace pension scheme shall only be offered to employees upon successful completion of their 3 month trial period.

8 LOANS AND INVESTMENTS

8.1 All loans and investments shall be negotiated and registered in the name of the Council and shall be for a set period in accordance with Council policy.

8.2 The Council shall consider the need for an Investment Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any such Policy shall be reviewed at least annually.

8.3 All investments of money under the control of the Council shall be in the name of the Council.

8.4 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by the Council as to terms and purpose. The terms and conditions of borrowings shall be reviewed at least annually.

8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9 INCOME

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

9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO who shall be responsible for the collection of all accounts due to the Council.

9.3 The Council will review all fees and charges annually, following a report of the Finance & HR Cttee.

9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.

9.5 All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.

9.6 The origin of each receipt shall be entered on the paying-in slip.

9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.

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

9.9 Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10 ORDERS FOR WORK, GOODS AND SERVICES

10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2 Order books shall be controlled by the RFO.

10.3 All Members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de-minimis provisions in Regulation 11 (I) below.

10.4 The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11 CONTRACTS

11.1 Procedures as to contracts are laid down as follows:

11.2 Every contract shall comply with these financial regulations.

11.3 Where it is intended to enter into a contract exceeding £50,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph 11.1 the Clerk shall invite tenders from at least three firms.

11.4 Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations.

11.5 Where it is intended to enter into a contract exceeding £10,000 in value the Council shall invite tenders from at least three firms.

11.6 When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.

11.7 All invitations 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.

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

- 11.9 When it is to enter into a contract for less than £10,000 in value the Council shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £1,000 and above £500 the Council shall seek to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.

12 PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon 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).
- 12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum by 5% or more a report shall be submitted to the Council.
- 12.3 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.

13 STORES AND EQUIPMENT

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

14 ASSETS, PROPERTIES AND ESTATES

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The Clerk shall ensure a record is maintained of all properties owned by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.
- 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £50.
- 14.3 The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15 INSURANCE

- 15.1 Following the annual risk assessment (per Financial Regulation 17), the RFO in consultation with the Clerk shall effect all insurances.

- 15.2 The RFO shall negotiate all claims on behalf of the Council with the Council's insurers.
- 15.3 The Clerk shall give prompt notification to the RFO and the Council of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.4 The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.5 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim; report these to Council at the next available meeting; and negotiate all claims or relevant incidents with the Council's insurers.
- 15.6 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

16 CHARITIES

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

17 RISK MANAGEMENT

- 17.1 The Council is responsible for putting in place arrangements for the management of risk. The Clerk with the RFO shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Council at least annually.
- 17.2 When considering any new activity, the Clerk and RFO shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

18 REVISION OF FINANCIAL REGULATIONS

- 18.1 It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The RFO shall make arrangements to monitor changes in legislation or proper practices and shall advise the Council of any requirement for a consequential amendment to these financial regulations.
- 18.2 At least once a year, prior to approving the annual return, the Council shall conduct a review of their procedures for prevention of fraud.

Annex D of CVPC STANDING ORDERS

Code of Conduct for Members

Adopted December 2015

Part 1: General Provisions and Interpretation

1. Introduction

- 1.1. This Code of Conduct is adopted by the Parish Council pursuant to its statutory duty to promote and maintain high standards of conduct by Members and Co-opted Members of the Parish Council. This Code applies to all Members and Co-opted Members of the Parish Council.
- 1.2. This Code is based on and is consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership as referred to in the Localism Act 2011.
- 1.3. In the interests of transparency and openness, and in accordance with the requirements of the Localism Act 2011, the Register of Members' Interests is available for public inspection by appointment with the Parish Clerk at all reasonable hours.

2. Scope

- 2.1. This Code applies to all Members and Co-opted Members of the Parish Council when acting in their official capacity, or when giving the impression that they are acting as a representative of the Parish Council.
- 2.2. Where a Member or Co-opted Member is a member of more than one local authority, but acting on behalf of the Parish Council, such Member or Co-opted Member is, for the avoidance of doubt, bound by this Code of Conduct.

3. General obligations of Members and Co-opted Members

- 3.1. As a Member of Crookham Village Parish Council, your conduct will address the principles of the Code of Conduct by:
 - 3.1.1. Representing the needs of residents, and putting their interests first.
 - 3.1.2. Dealing with representations or enquiries from residents, members of communities within the administrative area of the Parish of Crookham Village and visitors fairly, appropriately and impartially.
 - 3.1.3. Not allowing other pressures, including the financial interests of yourself or others connected to you, to deter you from pursuing constituents' casework, the interests of the Parish Council's area, or the good governance of the Parish Council in a proper manner.
 - 3.1.4. Exercising independent judgement and not compromising your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties.
 - 3.1.5. Listening to the interests of all parties, including relevant advice from statutory and other professional officers of the Parish Council, taking all relevant information into consideration, remaining objective and making decisions on merit.

- 3.1.6. Being accountable for your decisions and co-operating when scrutinised internally and externally.
- 3.1.7. Contributing to making the Parish Council's decision-making processes as open and transparent as possible.
- 3.1.8. Restricting access to information when the wider public interest, the Parish Council's Standing Orders or the law requires it.
- 3.1.9. Behaving in accordance with all the Parish Council's legal obligations, the Parish Council's policies, protocols and procedures.
- 3.1.10. Ensuring that when using or authorising the use by others of the resources of the Parish Council that such resources are not used improperly for political purposes.
- 3.1.11. Having regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986 or otherwise.
- 3.1.12. Not knowingly doing anything which might cause the Parish Council to breach any legislation.
- 3.1.13. Valuing your colleagues and Officers of the Parish Council and engaging with them in an appropriate manner – harassment and bullying will not be tolerated (see Appendix 1).
- 3.1.14. Always treating all people and organisations with respect and propriety. Providing leadership through behaving in accordance with these principles.

Part 2: Disclosable Pecuniary Interests

1. Introduction

- 1.1. A disclosable pecuniary interest is an interest falling within the Schedule set out at Paragraph 3 below of:
 - 1.1.1. Yourself; or
 - 1.1.2. Your spouse or civil partner, or someone you are living with as if you were husband and wife or civil partners, where you are aware that that other person has the interest.

2. Interpretation

- 2.1. In the Schedule set out at Paragraph 3 below, the following words or expressions mean as follows:
 - 2.1.1. 'the Act' means the Localism Act 2011;
 - 2.1.2. '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;
 - 2.1.3. 'director' includes a member of the committee of management of an industrial and provident society;

2.1.4. '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;

2.1.5. 'M' means a member of a relevant authority;

2.1.6. 'member' includes a co-opted member;

2.1.7. 'relevant authority' means Crookham Village Parish Council of which M is a member;

2.1.8. 'relevant period' means the period of 12 months ending with the day on which M gives a notification for the purposes of Section 30(1) or Section 31(7), as the case may be, of the Act;

2.1.9. '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 (2000 c. 8) and other securities of any description, other than money deposited with a building society.

3. Schedule of Disclosable Pecuniary Interests

Subject	Prescribed description
Employment, office, trade profession or vocation	Any 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 relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</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 (1992 c. 52).</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to M's knowledge):</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>

Part 3: Registration and Disclosure of Disclosable Pecuniary Interests

1. Obligations

- 1.1. You must, within 28 days of taking office as a Member or Co-opted Member of the Parish Council, notify the Clerk to the Parish Council of any disclosable pecuniary interests as defined by regulations made by the Secretary of State (as set out at Part 2 of this Code), where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.
 - 1.2. You must also, within 28 days of becoming aware of any new disclosable pecuniary interest, or change thereto, notify the Clerk to the Parish Council of such new or changed interest.
 - 1.3. If you have a disclosable pecuniary interest included on the Register of Members' Interests, you must disclose this interest at any meeting of the Parish Council or its Committees at which you are present and participating in the business. Such interest should be disclosed at the commencement of consideration of the business or when the interest becomes apparent. You do not need to disclose details of the interest itself.
 - 1.4. If a disclosable pecuniary interest has not been entered onto the Parish Council's Register of Interests, then you must also disclose the interest to any meeting of the Parish Council or its Committees, at which you are present where you have such an interest in any matter being considered. Such interest should be disclosed at the commencement of consideration of the business or when the interest becomes apparent. You do not need to disclose details of the interest itself. Following disclosure of a disclosable pecuniary interest not on the Parish Council's Register or the subject of pending notification, you must notify the Clerk to the Parish Council of such interest within 28 days, beginning with the date of disclosure.
2. Unless a dispensation has been granted by the Clerk to the Parish Council::
- 2.1. 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. You must as soon as it becomes apparent that you have such an interest (save for in circumstances set out at Paragraph 1.6 below) withdraw from the chamber or room where the meeting considering the business is being held, and must not seek improperly to influence a decision about that business.
 - 2.2. Without prejudice to Paragraph 1.5 above where you have a disclosable pecuniary interest in any business of the Parish Council you may, notwithstanding such disclosable pecuniary interest, attend such meeting for the purpose of making representations, answering questions or giving evidence relating to such business, provided members of the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 4: Registration of Gifts and Hospitality

You must, within 28 days of receipt, notify the Clerk to the Parish Council of any gift or hospitality you receive, if such gift or hospitality has an estimated value of at least £50.

Part 5: Registration and Disclosure of Non Pecuniary Interests

1. Without prejudice to requirements contained at Part 3 of this Code in respect of the Registration and Disclosure of Pecuniary Interests, you may in addition notify the Clerk of the Parish Council of any Non Pecuniary Interests you consider it appropriate to be entered on the Register of Members' Interests.
2. Where you have a Non Pecuniary Interest in a matter being considered at a meeting of the Parish Council, its Committees, whether or not such interest is registered on the Register of Members' Interests, you may, should you consider it appropriate in the interests of transparency and openness to do so, disclose such interest at the meeting.
3. In cases where Paragraph 2 above applies if you consider, having taken advice in appropriate circumstances, you should not participate in the business being considered, you should leave the chamber or room where the business is being considered, after exercising any right to speak which a member of the public would have.

Appendix 1 to Annex D of CVPC STANDING ORDERS

Harassment

1. Harassment may be defined as any conduct which is :-
 - 1.1. unwanted by the recipient
 - 1.2. is considered objectionable
 - 1.3. causes humiliation, offence, distress or other detrimental effect.

2. Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals. Harassment may be, but is not limited to:
 - 2.1. Physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour.
 - 2.2. Verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language.
 - 2.3. Non-verbal – offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion or isolation from social activities.

Bullying

3. Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:
 - 3.1. Conduct which is intimidating, physically abusive or threatening
 - 3.2. Conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues
 - 3.3. Humiliating an individual in front of colleagues
 - 3.4. Picking on one person when there is a common problem
 - 3.5. Shouting at an individual to get things done
 - 3.6. Consistently undermining someone and their ability to do the job
 - 3.7. Setting unrealistic targets or excessive workloads
 - 3.8. Cyber bullying i.e. bullying via e-mail. (This should be borne in mind when ever conducting business by email. Care and sensitivity should be practised with regard to the choice of context and language).
 - 3.9. Setting an individual up to fail e.g. by giving inadequate instructions or unreasonable deadlines.

Appendix 2 to Annex D of CVPC STANDING ORDERS

CODE OF CONDUCT AND DISPENSATIONS

4. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
5. Unless granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he had the interest.
6. Unless granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has another interest if so required by the Council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
7. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
8. A decision as to whether to grant a dispensation shall be made by the Proper Officer.
9. A dispensation request shall confirm:
 - 9.1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - 9.2. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - 9.3. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - 9.4. an explanation as to why the dispensation is sought.
10. A dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
11. A dispensation may be granted if having regard to all relevant circumstances any of the following apply:
 - 11.1. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
 - 11.2. granting the dispensation is in the interests of persons living in the Council's area;
or
 - 11.3. it is otherwise appropriate to grant a dispensation.