



The Old Mining College Centre
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Our Ref: GH/JM

06 May 2020

To: All Members of the Town Council

Dear Councillor

You are hereby summoned to attend the Virtual Annual Meeting of the Town Council to be held on **Wednesday 13 May 2020** at which the business set out below will be transacted. Councillors and members of the public can join the meeting by using Zoom. For information on how to access Zoom please contact the Town Council [townclerk@burntwood-tc.gov.uk].

PLEASE NOTE: The meeting will commence immediately after the Annual Town Meeting which will commence at 6pm.

Yours sincerely

Graham Hunt
Town Clerk

As part of the Better Burntwood Concept and to promote community engagement, the public now has the opportunity to attend and speak at all of the Town Council's meetings. Please refer to the end of the agenda for details of how to participate in this meeting.

AGENDA

1. **ELECTION OF TOWN COUNCIL CHAIRMAN FOR THE ENSUING YEAR FOLLOWED BY DECLARATION OF ACCEPTANCE OF OFFICE**
2. **ELECTION OF TOWN COUNCIL VICE-CHAIRMAN FOR THE ENSUING YEAR FOLLOWED BY DECLARATION OF ACCEPTANCE OF OFFICE**
3. **APOLOGIES FOR ABSENCE**
- 3.1 To formally receive and approve Councillor Taylor's request that he be granted a Leave of Absence from attendance at meetings from 13 May 2020 on compassionate grounds until the end of the municipal year.
4. **DECLARATIONS OF INTERESTS AND DISPENSATIONS**
To receive declarations of interests and consider requests for dispensations.
5. **MINUTES**
To approve as a correct record the Minutes of the Meetings of the Town Council held on 12 March 2020 [Minute Nos. 56-71] and 15 April 2020 [Minute Nos. 72-78] **[ENCLOSURE NO. 1A AND 1B]**.
6. **COMMUNITY EVENTS UPDATE [ENCLOSURE NO. 2].**
Members are requested to consider the community events summer programme in response to the ongoing Covid-19 restrictions on public gatherings.
7. **CORONAVIRUS CONTINGENCY PLAN UPDATE [ENCLOSURE NO. 3].**
Members are requested to consider and approve, where is it considered appropriate, options that they feel are supportive of our tenants and are judged affordable.
8. **STANDING ORDERS [ENCLOSURE NO. 4 AND APPENDIX 1]**
Members are requested to approve the proposed changes to the current Standing Orders [the Orders now provide details of the new threshold requirements as specified by the amended Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2016, respectively].
9. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED That under the Public Bodies [Admissions of Meeting] Act 1960 [Section 2] [and as expended by Section 100 of the Local Government Act 1972], the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

10. CONFIDENTIAL MINUTES

To approve as a correct record the Confidential Minutes of the Meeting of the Town Council held on 15 April 2020 [Minute Nos. 77-78] **[ENCLOSURE NO. 5 - PINK]**.

PUBLIC FORUM

30 minutes will be set aside at the beginning of this meeting for you to raise issues relevant to the remit of the meeting. You will have up to 3 minutes and can raise more than one issue. However, the Chairman has the option to extend the time allowed to you if they think it is appropriate.

So that the Members of the meeting can be properly briefed in order to enable them to provide a considered response to your question, please advise the Town Clerk of the question[s] you wish to ask the Council at least three working days before the meeting. The Chairman of the meeting has the right to reject any representations that he/she considers not to be appropriate for the particular meeting.

The public forum session will usually be the first item on the agenda and normally will last up to 30 minutes. In some instances, it may not be possible at the meeting to provide an answer. Where that is the case a written response will be sent to your stated address and a copy will be made available for public inspection at the Town Council's offices.

While audio and video recordings of this meeting are entirely legal, as a matter of courtesy to Town Council members who work for this town and this Council on a voluntary basis, we would be grateful if you would let the Clerk or the Chairman know beforehand.

**MINUTES OF THE MEETING OF BURNTWOOD TOWN COUNCIL
HELD AT BEACON COMMUNITY CHURCH, BRIDGE CROSS ROAD, BURNTWOOD
ON THURSDAY 12 MARCH 2020 COMMENCING AT 6.00 PM**

PRESENT

Councillor Evans [in the Chair]

Councillors Birch, Brown, Bullock, D Ennis, L Ennis, Flanagan, Gittings, Ho, Loughbrough Rudd, Norman, M Place, R Place, Tapper, Westwood, Willis-Croft and Woodward

In attendance

G Hunt, Town Clerk

Ms J Minor, Deputy Town Clerk

Five members of the public

Ms K Lackajis, Editor, Citylife Magazine

Ms R Hill, Advertising, Citylife Magazine

PRESENTATION BY CITYLIFE

The Chairman welcomed Kristen and Rebecca from Citylife Magazine to the meeting. Councillor Woodward explained what we need to hear was how Citylife Magazine could help the Town Council develop a sense of community [our “one Burntwood” initiative] by focussing on what is happening here and getting the messages out about businesses, voluntary groups, services etc. Councillor Woodward stated that we currently use mainly social media as the Burntwood Mercury concentrates mainly on Lichfield City and the Chronicle mainly on Cannock.

Rebecca explained that they currently publish two magazines [entitled Citylife in Lichfield and Citylife in Rugeley and Cannock Chase], they have been established for four years, they are a small team of six and send out 22 issues each year. The magazines are hand delivered and they distribute 18,000 copies of Citylife in Lichfield and 11,000 copies of Citylife in Rugeley and Cannock Chase. Rebecca stated that the magazines are funded fundamentally by advertising and made reference to the “Local News” section in the magazines.

Kristen explained that she had been the editor for 14 months and Citylife in Lichfield was predominantly Lichfield City based however the magazine is hand delivered to parts of Burntwood [namely the St Matthews Estate, Hunslet Estate and the Church Farm Estate].

Kristen felt that there was a strong community feel in Burntwood and that they were thinking of a selection just for Burntwood and made reference to Lichfield City Council who have three pages in the magazine several times a year.

Councillor R Place made reference to the limited distribution area in Burntwood and asked if they intended to expand to other areas of Burntwood.

Rebecca explained that primarily the magazine was funded by advertising and more people needed to be encouraged to advertise. Rebecca stated that they do visit businesses and made reference to the Heart of the Country.

Rebecca explained that they were recently approached by the Three Spires Choir who wanted to know how they could encourage new members. Rebecca made reference to the What’s On section of the

magazine [£15 for businesses, £5 for charities and the entries must be 50 words maximum] and stated that the choir advertised in the section and increased their membership from 15 members to 51 members.

Councillor Norman wished both Rebecca and Kristen well and stated that there was news articles in the magazine which were useful.

Rebecca stated that they also have a close working relationship with the Town Clerk of Rugeley Town Council.

Councillor R Place explained that their main competitor was the TownTrader [Burntwood and Chase editions].

Kristen confirmed that copies of the magazine are available at Bradshaws Farm and the Library.

Councillor Woodward stated that there was a potential to have a Burntwood publication however the Town Council needed to look at the implications. Councillor Woodward encouraged Councillors to meet with local businesses to encourage advertising [everyone is part of the Town].

PRAYERS

The Chairman thanked Pastor Sandy McMeekin for hosting the meeting tonight.

Prayers were led by Pastor McMeekin from Beacon Community Church.

PUBLIC FORUM

There were no questions raised by members of the public however Councillor Evans stated that members of the public could raise questions after the meeting [Burntwood Town Council is going out on the road around the town and is inviting more local residents to come along to their meetings to see what subjects are being discussed and how decisions affecting the town are made].

56. APOLOGIES FOR ABSENCE

Councillors Banevicius, Bishop, Greensill, Kirkham and Taylor [Dispensation]

57. DECLARATIONS OF INTEREST AND DISPENSATIONS

None declared.

58. TOWN COUNCIL: MINUTES

It was proposed by Councillor Woodward, seconded by Councillor D Ennis and following a unanimous show of hands it was

RESOLVED That the Minutes of the Meeting of the Town Council held on 08 January 2020 [Minute Nos. 44-55] be received and where necessary approved and adopted.

59. CHAIRMAN'S ANNOUNCEMENTS

Coronavirus

The Town Clerk advised Members that he had sought advice from Staffordshire County Council who had now set up an Incident Management Team [IMT] who look at the three levels of action the Government is following as regards action it can take relating to each phase Delay; Contain and Mitigate. The Town Clerk explained that there are three key issues which could affect the Town Council. There is no provision in law for a parish council meeting to be held other than in the conventional format. Voting and decision making cannot be achieved by any means other than having the physical presence of members at a duly convened meeting. Meetings cannot be held behind closed doors as members of the public have a right to attend. The Town Council could look at the length of the agendas and if meetings could be delayed.

The Town Clerk advised Members that he had already increased the cleansing regime at the Old Mining College Centre [the cleaner has been asked to increase the frequency of cleaning in the common areas of the building]. In addition all door handles will be cleaned daily. The key piece of advice from the Government is that regular hand washing does reduce the infection rate. NHS posters have been put up around the building to remind people to wash their hands.

The Town Clerk advised Members that as soon as someone is infected at the Old Mining College Centre then we will close the building. As we all depend on the same welfare facilities, circulation space and entrance it will not be possible to zone the building to allow partial use. The building will then need to be deep cleaned before it can be re-opened.

With regard to remote access/home working, the Town Clerk explained that staff currently have access to emails but would need access to the shared folders and made reference to the GDPR. The Town Clerk stated that the firewall is typically the answer to safe and secure remote working and he is currently investigating this matter.

Another area is the potential increase in burials and the Town Clerk confirmed that a meeting had been held with contractors. The Town Clerk stated that should there be a significant increase in burials the Town Council cemetery has capacity.

Councillor D Ennis explained that as a business owner, concerns have been raised by people who are worried about paying their rent, feeding their families etc and Councillors need to have the correct and up to date information.

Councillor Woodward thanked the staff and advised that the Government have recently changed the rules on Statutory Sick Pay. Councillor Woodward stated that we need to keep each other informed [communication a key factor].

Councillor Loughbrough Rudd explained that as Councillors represent elderly, disabled residents can we use other venues for the Town Council office should be Old Mining College Centre shut. The Town Clerk stated that this would depend on staff having to self-isolate [incubation period]. We need well communicated information [understanding who does what].

The Chairman confirmed that she had attended a number of events and meetings available to the public [the public can engage/attend if they so]. The Chairman advised that she had attended a Living Well with Dementia organised by CASS The Carers Association meeting held

at the Scout Headquarters in Ironstone Road [the meetings are held on the third Thursday of every month from 11am to 1pm]. The Chairman explained that funding had been cut so the Association could not offer so much at each of the meetings.

The Chairman confirmed that the film night held at St Annes Church on Saturday 29 February had been a success and it was hoped that the Quiz Night to be held at the Rugby Club on Saturday 28 March would still go ahead. The Chairman asked for Councillors support by attending the Quiz Night and also by providing raffle prizes.

The Chairman confirmed that her Civic Service would be held at St John's Community Church on Sunday 26 April and a Music Night at the Grangemoor Working Mens Club on 01 May. It was hoped that Councillors would continue to support the events.

60. COMMUNITY AND PARTNERSHIPS COMMITTEE: MINUTES

Councillor Woodward made reference to Minute No. 49 - Planning Update on the Wakes Festival and enquired whether the recipients of the Town Council's grant aid scheme had been contacted to see if they would be willing to have a stall at the Wakes. The Deputy Town Clerk confirmed that the applicants had been contacted and some had already responded.

It was proposed by Councillor D Ennis, seconded by Councillor L Ennis and following a unanimous show of hands it was

RESOLVED That the Minutes of the Meeting of the Community and Partnerships Committee held on 06 January 2020 [Minute Nos. 44-51] be received and where necessary approved and adopted.

61. PLANNING AND DEVELOPMENT COMMITTEE: MINUTES

Councillor Birch made reference to Minute No. 61 - Burntwood Town Centre Enhancements and felt that Mr Will Spencer, Connectivity Strategy Officer, Transport and the Connected County, Staffordshire County Council and Mr Sandeep Aheer, Project Leader, Amey had given a really good presentation however, he made reference to social media and wanted to make it clear that the discussion only related to traffic management.

Councillor Woodward stated that one of the issues was that the land is privately owned and that we needed to look at things that we could do [highway and pavements]. Following the presentation a workshop had been held and comments forwarded to Staffordshire County Council. Councillor Woodward stated that social media showed the level of ambition and that people of Burntwood wanted to see improvements to the Town Centre.

Councillor Birch made reference to Minute No. 65 - Street Naming [Land at Mount Road] and explained that Councillor D Ennis felt that remembering the industries that brought lots of jobs and families to the area was important [namely D H Hadens Limited and Edgar Vaughan and Co] however the developer were not keen on two of the road names. The developer had asked if types of kettle could be considered however Councillor Birch said that he would feel happier if the names suggested as alternatives were in keeping with the rest of the suggestions so they are coherent. The developers have since accepted the Committee's suggested names.

It was proposed by Councillor Birch, seconded by Councillor Gittings and following a unanimous show of hands it was

RESOLVED That the Minutes of the Meetings of the Planning and Development Committee held on 09 January 2020 [Minute Nos. 51-56] and 13 February 2020 [Minute Nos. 57-65] be received and where necessary approved and adopted.

62. POLICY AND RESOURCES COMMITTEE: MINUTES

Councillor Woodward made reference to Minute No. 45 - Safeguarding Children and Adults at Risk of Abuse and Neglect Policy and Procedure and stated that half of the Councillors had attended the training session held on 26 February and perhaps we should try and arrange another training session. Councillor M Place asked if paragraph 8 could be amended to read Councillor R Place as she was not present at the meeting. The Town Clerk confirmed that certificates would be issued to those Councillors who attended the training session.

Councillor D Ennis advised that as a School Governor at Erasmus Darwin Academy he has attended several training sessions and asked if certificates from other training sessions attended by Councillors could be forwarded to the Town Clerk.

Councillor Birch made reference to Minute No. 47 - Adoption of Redundant Telephone Kiosks to house Defibrillators and advised that English Heritage are no longer listing red telephone boxes however the red telephone box located in Ogley Hay Road [which now houses a defibrillator] is an asset in the ward.

Councillor D Ennis said that defibrillators have been on his mind for 5 years following a fatality and it was pleasing to note that the redundant telephone kiosk in Oakdene Road would be getting a defibrillator as there are no public buildings in this location. Councillor Evans confirmed that the defibrillator located at the Boney Hay Working Mens Club had been used and Councillor D Ennis confirmed that the defibrillator located at St John's Community Church had also been used.

It was proposed by Councillor D Ennis, seconded by Councillor Flanagan and following a unanimous show of hands it was

RESOLVED That the Minutes of the Meeting of the Policy and Resources Committee held on 16 January 2020 [Minute Nos. 40-50] be received and where necessary approved and adopted.

63. OVERVIEW AND SCRUTINY COMMITTEE : MINUTES

Councillor Norman made reference to Minute No. 12 - Health and Safety Audit and in particular with regard to the emergency evacuation plan. Members were informed at the Committee meeting that when the fire evacuation had been undertaken previously some of the tenants had refused to vacate the premises and that shortfalls identified were that tenants in particular were not completing the "signing-in book" when entering and vacating the premises. Councillor Norman said that this was a very important issue and would be happy to go round with the Town Clerk to discuss this with the tenants.

The Town Clerk confirmed that he was in the process of drawing up the Fire Emergency Plan Framework [Fire and Emergency Evacuation Procedures] and would be using it to re-engage with the tenants. The Town Clerk confirmed that regular meetings are being held with the tenants and that a standing item on the agenda would be Health and Safety and Fire Evacuation. The Town Clerk confirmed that he would be looking at the leases with regard to the tenants compliance with Health and Safety etc.

It was proposed by Councillor Norman, seconded by Councillor Bullock and following a unanimous show of hands it was

RESOLVED That the Minutes of the Meeting of the Overview and Scrutiny Committee held on 06 February 2020 [Minute Nos. 8-13] be received and where necessary approved and adopted.

64. MEMBERS QUESTIONS

No Members questions were raised.

65. BURNTWOOD TOWN DEAL

Councillor Woodward explained that the Town Deal was setup to make links between the three tiers of local government covering Burntwood. Semi-formal meetings are held with representatives from Staffordshire County Council, Lichfield District Council and the Town Council to try and smooth the path in decision making. It encourages lead members from each authority to talk to each other.

At the meeting held on 11 February discussion was held regarding the lack of progress regarding access to Chasewater and the opening up of the Church Street car park. Councillor Woodward confirmed that herself together with Councillor D Ennis had met recently with officers from Staffordshire County Council who plan to transfer responsibility of the car park to Burntwood Town Council as soon as possible.

Councillor Woodward made reference to Greenwood House and the demolition thereof and confirmed that the new facility would not meet the needs of the Town [only part of the needs].

Councillor Woodward stated that members of the Town Deal are currently working on a memorandum of agreement that would encourage public services to commit to coming to Burntwood either quarterly or half yearly to update Members.

Discussions also took place on the Local Plan Review, Boundary Review and Sankey's Corner redevelopment.

Councillor Loughbrough Rudd asked if the Cannock designer outlet [McArthurGlen] was discussed at the Town Deal in particular the impact on traffic. Councillor Woodward confirmed that this was not a direct agenda item however the designer outlet was very different and would give opportunity for careers.

66. REVIEW OF EFFECTIVENESS OF INTERNAL AUDIT 2019/20

It was proposed by Councillor Woodward, seconded by Councillor D Ennis and following a unanimous show of hands it was

RESOLVED THAT

- [a] the internal audit was effective for 2019/20 and the increased number of audit visits be approved.
- [b] the Audit Programme for 2020/21 be approved and that the higher level of 4 visits per year is maintained.
- [c] the re-appointment of Toplis Associates as Internal Auditors be approved for the financial year 2020/21 at their current fee plus annual inflation increase.

67. INCOME AND EXPENDITURE ESTIMATES FOR 2019-20 AND APPROVED BUDGET FOR 2020-21

It was proposed by Councillor Woodward, seconded by Councillor D Ennis and following a unanimous show of hands it was

RESOLVED That the financial position at the end of January 2020 and the estimates for the year end be received and noted.

68. POTENTIAL EARMARKING OF RESERVES AND YEAR END BALANCES FOR 2019/20

Councillor Woodward explained that it was hoped that some of the proposed projects would start moving forward and that the CLM money could be put, following discussions, into making the Town Centre more attractive [by pulling pots together from Staffordshire County Council, Lichfield District Council and the Town Council].

The Town Clerk explained that the general fund would enable the Town Council to sustain their business for three months.

It was proposed by Councillor Woodward, seconded by Councillor D Ennis and following a unanimous show of hands it was

RESOLVED That any movements into and out of earmarked reserves as indicated in the Notes on Proposed Movements be agreed.

69. 2020/2021 CALENDAR OF MEETINGS

Councillor R Place asked who sets the dates and the Town Clerk confirmed that the Town Council are governed by Lichfield District Council's dates. Councillor Woodward said that a draft copy would be forwarded to Councillor R Place in the future.

It was proposed by Councillor Woodward, seconded by Councillor D Ennis and following a unanimous show of hands it was

RESOLVED That the 2020/2021 calendar of meetings be approved.

70. PROTECTIVE MARKING SCHEME

The Town Clerk explained that at the Policy and Resources Committee meeting held on 15 July 2019 it was agreed that the Town Council would adopt a Protective Marking Scheme to improve the security of data protection.

All written correspondence must be protectively marked. There are 4 levels of protection:

PMS 1 - The letter/email/text/report can be shared with the public and other organisations

PMS 2 - Can be shared within Burntwood Town Council (all officers and councillors)

PMS 3 - Should only be shared with listed recipients

PMS 4 - Limited to Town Clerk/Leader/Deputy Leader/Chairman

The purpose of the PMS is to alert the reader[s] [councillor and staff] to the status of the written product and to provide advice on the limitations of its use. This applies not only to sharing but its filing and disposal. The PMS is designed for internal use only. The PMS has no external use (i.e. the general public, other organisations) so Councillors will need to mark any item that is judged to be PMS 2 or above as confidential. The Town Council will face hefty fines if it is found not to be in compliance with the General Data Protection Regulations. The PMS is a key first line in our processes to help ensure compliance.

It was **AGREED** that the Town Clerk would resend the report.

71. UPDATE FROM COUNTY COUNCILLORS/DISTRICT COUNCILLORS

Councillor Woodward explained that this item was for County Councillors and/or District Councillors who were not members of the Town Council.

[The Meeting closed at 7.16 pm]

Signed

Date

**MINUTES OF A VIRTUAL MEETING OF BURNTWOOD TOWN COUNCIL
HELD ON WEDNESDAY 15 APRIL 2020 COMMENCING AT 6.00 PM**

PRESENT

Councillor Evans [in the Chair]

Councillors Birch, Bishop, Bullock, D Ennis, L Ennis, Flanagan, Gittings, Greensill, Ho, Kirkham, Loughbrough Rudd, Norman, M Place, R Place, Tapper, Westwood, Willis-Croft and Woodward

In attendance

G Hunt, Town Clerk

PUBLIC FORUM

No members of the public joined the meeting

72. APOLOGIES FOR ABSENCE

Councillors Banevicius, Brown and Taylor [Dispensation]

Cllr Evans used this opportunity to pay tribute to two long serving Councillors who have sadly recently passed away, John Walker MBE and Russell Heath. Both of them gave devoted service to helping Burntwood residents until a few years ago. Our condolences go to their families at this sad time.

73. DECLARATIONS OF INTEREST AND DISPENSATIONS

None declared.

74. CORONAVIRUS CONTINGENCY PLAN UPDATE

Councillor Woodward introduced this item. She said that the staff had put place an effective plan to enable the Town Council to function during the current emergency. The fact that the Council Meeting was a virtual one was part of the contingency plan. She was particularly pleased that all those councillors that were able to take part in the meeting were present.

Mr Hunt provided a further update on the report before the councillors. He confirmed that the Old Mining College remained closed. With regard to staff, three of the team were self-isolating, and only one of them was unable to work due to the nature of their job. TechCare had upgraded the Council's remote working capacity and had provided access to the shared drive which has greatly enhanced the tasks that can be undertaken. He confirmed that the Council had received 6 direct complaints about the closure of the cemetery. He was also aware there had been a discussion on Facebook but this had not led to any additional complaints.

75. BURNTWOOD BE A FRIEND PROGRESS REPORT

Councillor Woodward gave the meeting a verbal update on Burntwood be a Friend. She explained that the Town Council was working with local churches and Spark to provide a point

of contact and help for the residents who were isolated and vulnerable. Typical tasks were delivering food and medicines. They were now organising a supply of pet food. She was really pleased at the response from local people who signed as volunteers to either deliver food and medicines or help provide a telephone contact service. Several councillors were involved although some were limited in the help they could offer as they were self-isolating.

76. FREEDOM OF INFORMATION ACT 2000

Mr Hunt advised the meeting that the Council needed to update its Publication Scheme. The current scheme was approved in 2009. He explained that the Council was required by the Freedom of Information Act 2000 to provide a publication scheme which set out what information the Council held and how it could be accessed by the public. The Information Commissioners Office (ICO) had produced a model publication scheme suitable for use by local authorities which he felt met the needs of the Council. The Council did have the option of producing its own scheme but it would need to be approved by the ICO. As the amount of information, the Council held was relatively small he felt that there was no need to produce a bespoke publication scheme. He therefore recommended that the Council adopt the model publication scheme produced by the ICO.

RESOLVED Unanimously that the Town Council adopt the ICO Model Publication Scheme.

77. EXCLUSION OF THE PRESS AND PUBLIC

Councillor Evans moved that although there were no members of the public present that the Council still approved the exclusion of the press and public so the next agenda item could be treated as confidential.

RESOLVED That under the Public Bodies [Admissions of Meeting] Act 1960 [Section 2] [and as expended by Section 100 of the Local Government Act 1972], the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information.

78. EMPLOYMENT TRIBUNAL

See Confidential Minute

[The Meeting closed at 6.45 pm]

Signed

Date

Burntwood Town Council 13th May 2020

Community Events Summer Programme

1.0 Purpose of the Report

1.1 The purpose of this report is to seek the Councils agreement to the cancellation of the Burntwood Wakes and Play in the Parks events in response to the ongoing Covid 19 restrictions on public gatherings.

2.0 Background

2.1 For several years the Council has organised during the summer family focused community events. Planning for the Burntwood Wakes, and to a lesser extent the Play in the Parks events, are well advanced with many attractions already booked. Previously these events have attracted between 3000 to 5000 and 500 to 1000 visitors, respectively.

3.0 Current Situation

3.1 The ongoing pandemic makes it highly unlikely that the community events that the Council has planned for the summer will be able to take place. The Burntwood Wakes which was due to take place on 11th July is particularly at risk.

3.2 So far only the 2 Play in the Parks events at Chase Terrace Park have been confirmed.

3.3 The Government has given no clear timetable when the current restrictions will be eased but have said that the return of large-scale events is some way off.

3.4 In view of this likelihood across the country community events and festivals are being cancelled.

4.0 Legal considerations

4.1 Under the provisions of the Coronavirus Act 2020 the holding of public events is banned. The Government are still directing people to stay indoors and only undertake essential journeys. A trip to a community event is not considered under the provisions of the Act to be an essential journey.

5.0 Finance

5.1 The attractions for these events need to be booked well in advanced. All bookings have been made in respect of the Wakes. It is not clear how much of the funding that has already been committed can be reclaimed. The insurance that the Council has taken in respect of community events does not include cover in respect of cancellation due to health risks.

6.0 Conclusion

6.1 It maybe possible in theory to hold some of the events, particularly those held towards the end of the summer. However, there is no guarantee that it will be possible to hold events or that people will want to attend a large public gathering so soon after the end of the pandemic. Under the circumstances the cancellation of the Burntwood Wakes and the Play in the Parks events would provide certainty to the public and avoid further aborted cost.

7.0 Recommendation

7.1 The Council is recommended to approve the cancellation of this year's Burntwood Wakes and Play in the Parks events.

Contact Officer

Graham Hunt

townclerk@burntwood-tc.gov.uk

01543 677166

Burntwood Town Council Meeting 13th May 2020

Coronavirus Contingency Plan Update

1.0 Purpose of the Report

1.1 This report provides an update on the Contingency Plan

2.0 Background

2.1 In response to the restrictions that the Coronavirus pandemic has placed on the Town Council's activities a contingency plan has been produced. It contains mitigation measures in respect of council meetings, staff, management of the Old Mining Centre and Burntwood Cemetery. The Plan is constantly being reviewed and amended.

3.0 Current Situation

3.1 The Plan has ensured that the Town Council has managed to function during these extraordinary times. The current situation is as follows:

- Council Meetings. The planned calendar of meetings has been cancelled. Instead monthly Council meetings are to be held on a virtual basis using the Zoom Meetings platform. The Zoom system was successfully trialled at the April Council meeting. All councillors who were able to attend the meeting were able to participate. The planned referendum for the Neighbourhood Plan is postponed until after the current emergency comes to an end.
- Staff. 3 of the 6 members of staff are self-isolating. Fortunately, everyone is virus free now. TechCare have provided enhanced access to the computer system so staff can remotely access emails and the shared drive. The website has been updated and is being used to provide information about the coronavirus. Emails and telephone calls from the public are being dealt with in a timely fashion.
- The Old Mining College. The building is closed to the public. The tenants still have access to both the main building and the units. But most tenants are working from home. We have offered rent holidays of up to 3 months with the outstanding rent being repaid over the remainder of the financial year. So far only Cost Cutters are the only tenant to return to regular working from the building albeit on a reduced scale. Two companies (A-Line and JoZone) have unfortunately given their notice to give up their tenancies.
- Burntwood Cemetery. The Cemetery is now only closed to the public during weekdays to safeguard our staff, contractors and funeral directors working there. The cemetery was opened at weekends in response to a Government request to re-open cemeteries. Further advice has been sought regarding how social distancing is to be managed. Once this information has been received before a return to normal opening hours will be considered. The weekend opening of the cemetery has received very little response from the public.

4.0 Future challenges

4.1 The expected increase in burials has not yet materialised. The rate of burials is similar to that prior to the Covid 19 emergency. At the moment we are working to a possible additional 240 burials. Following discussions with the Funeral Directors and Gravedigger we are confident that there is sufficient space and staff capacity to cope with this increase.

4.2 Financial loss is emerging as the biggest challenge to the Town Council. This challenge is expressed in several ways:

- Delayed Income. We have offered rent holidays of up to 3 months with the outstanding rent being repaid over the remainder of the financial year. So far only Cost Cutters have indicated that they would like to take advantage of this arrangement.
- Lost Income. Two tenants have already served notice to quit. The estimated cost for the year per unit is approximately £5000. No income is coming from room rental
- Extra Expenditure. A-Line and Burntwood Live at Home have asked for a reduction in the Service Charge. As this charge includes fixed costs such as utility standing charges and business rates any reduction would have to be covered by the Town Council

4.3 Following discussions with the tenants the rent holiday has limited appeal and is only an option for those businesses that plan to continue trading. Businesses that are on the brink of failure need a reduction rather than a delay in costs. Unfortunately, as they contribute to the rates rather than paying business rates directly, they are unable to access the Business Rates Fund and other Government support.

4.4 Only one tenant is a registered charity. Burntwood Live at Home are part of the Methodist Housing Association. They provide support to elderly and vulnerable people in the town. They are an active partner in the Burntwood Be a Friend initiative. Due to the nature of the group that they support it is very unlikely that they will be able to re-introduce the services they provide in the foreseeable future. This means that they will not be able to generate any income during this period which is expected to last until at least Christmas.

4.5 If the Town Council wants to provide more effective support for its tenants then it will need to extend its support beyond the offer of a rent holiday. Possible additional options could include:

- A rent reduction for tenants that had furloughed staff or were trading at a significantly lower level of activity defined as less than 50% of normal sales
- A reduction in the service charge particularly in respect of the business rates element of the charge (this would bring our tenants in line with other businesses in the town)

4.6 The decision to provide further support is a difficult one. Once the issue of business rates has been addressed it is difficult to make the case for further support over and above other businesses in the town. There is already a great deal of public funding available.

4.7 Burntwood Live at Home poses a greater challenge for the Council. It is a key local organisation central to the Councils vision of a Better Burntwood. Its closure would cause considerable harm within the community. It is the type of organisation that would be eligible for grant aid for its community work.

5.0 Finance

5.1 The maximum financial loss that the Council is exposed to during the current financial year is in the region of £80,000 should it chose to forgo all income from rents and service charges or £20,000 per quarter. There is sufficient funding in the General Reserve to cover this amount. The General Reserve currently stands at £136,376. However, the amount that is likely to be lost could be significantly less and will be determined on the length of the current of the Covid 19 emergency restrictions. Any support measures that the Council decides to agree should be reviewed monthly.

6.0 Recommendation

6.1 The Council is recommended to consider the following options and approve, where it is considered appropriate, the any that it feels is supportive of our tenants and is judged affordable:

- Option 1. The Council provides no additional support beyond the existing offer of a rent holiday (no cost)
- Option 2. Tenants who are trading at a significantly lower level are offered a 50% rent reduction (estimated maximum cost £17,000)
- Option 3. Tenants who are trading at a significantly lower level are offered a service charge reduction in respect of fixed costs (estimated maximum cost £11,000)
- Option 4. Tenants who are trading at a significantly lower level are offered a 50% rent reduction and a service charge reduction in respect of fixed costs (estimated maximum cost (estimated maximum cost £28,000)
- Option 5. A separate agreement is reached with Burntwood Live at Home in respect of any of options 2,3, 4. (estimated maximum cost £6,000 or £12,000 if all rent and service charges are forgone)

Contact Officer

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Burntwood Town Council Meeting 13th May 2020

Standing Orders

1.0 Purpose of the Report

1.1 The purpose of this report is to update the Council's current Standing Orders in respect of regulations relating to the letting of contracts.

2.0 Background

2.1 Regulation 30 in the Standing Orders governs the Financial Controls and Procurement arrangements for the Town Council. The current regulation is based on the Public Contracts Regulations 2006 and the Utilities Controls Regulations 2006. These regulations set the threshold above which contracts need to be subject to European Commission tendering procedures. They have now both been superseded.

3.0 Proposed Amendments

3.1 To update the Town Council's Standing Orders it is proposed that existing paragraph 30 (f) and be replaced by an updated paragraph 30 (f) and a new paragraph 30 (g). These paragraphs now provide details of the new threshold requirements as specified by the amended Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2016, respectively.

3.2 The updated Standing Orders are attached as Appendix 1

4.0 Finance

4.1 The proposed update poses no additional costs for the Council. Very few contracts that the Council lets will be above the thresholds specified in the regulations.

5.0 Legal Requirements

5.1 Standing Orders are one of the key policy documents that the Town Council uses to govern its affairs. It is essential that the Standing Orders are kept up to date.

6.0 Recommendation

6.1 The Council is recommended to approve the proposed changes to the current Standing Orders as set out in paragraph 3.1 in this report.

Contact Officer

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BURNTWOOD TOWN COUNCIL

STANDING ORDERS **Amended 26 September 2019**

STANDING ORDERS WITH RESPECT TO PROCEEDINGS AND BUSINESS OF BURNTWOOD TOWN COUNCIL

STATUTORY PROVISIONS

**THESE STANDING ORDERS ARE BASED ON THE NEW NATIONAL MODEL
STANDING ORDERS PUBLISHED BY THE NATIONAL ASSOCIATION OF
LOCAL COUNCILS (NALC) IN 2013.**

Some matters on which a council would normally make a Standing Order have been laid down in Acts of Parliament and are therefore compulsory.

The Standing Orders based on the statutory provisions have been printed in **bold type**.

This is so that Councillors can have available in one document a complete procedural code, which includes the prescribed statutory elements and the discretionary rules adopted by Council as Standing Orders.

Statutory provisions cannot be suspended or amended, as can the Standing Orders made by Council (see Standing Order No 32).

All provisions incorporated into these Standing Orders have been made in accordance with primary legislation and with due regard to the provisions of the Human Rights Act 1998.

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LEGEND:

- Mandatory for Full Council meetings
- Mandatory for Committee meetings
- Mandatory for Sub-Committee meetings

1. MEETINGS

- a) ● Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b) ● ● The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or a bank holiday or a day appointed for public thanksgiving or mourning.
- c) ● ● The minimum three clear days public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
- d) ● ● Meetings of the Council shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- e) **Public Forum:** Subject to Standing Order 1(d) above, a maximum of 30 minutes will be allocated prior to the commencement of any meeting where members of the public may put questions or make comments on any matter in relation to which the Town Council has powers or duties which affect the area. Subject to the Council being given 3 working days' notice of the issue to be raised
- f) **All meetings except for full Council and the Annual Meeting:** Subject to Standing Order 1(d) above, members of the public are also permitted to make representations, answer questions, and give evidence in respect of any item of business included on the meeting's agenda, subject to the Council being given 3 working days' notice of the issue to be raised.
- g) Subject to Standing Order 1(e) above, each member of the public shall not normally speak for more than 3 minutes. The Chairman will have the discretion to allow a speaker more time if appropriate.
- h) In accordance with Standing Order 1(e) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- i) In accordance with 1(h) above, the Chairman may direct that a response to a question posed by a member of the public be referred to the Leader of the Council or his/her nominee for an oral response or to an employee for a written response.
- j) A record of a public participation session at a meeting shall be noted in the minutes of that meeting.
- k) A person shall raise her/his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.
- l) Any person speaking at a meeting shall address her/his comments to the Chairman.

- m) Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- n) ● ● The press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- n) ● **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in her/his absence be done by, to or before the Vice-Chairman (if any).**
- o) ● **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- p) ● ● ● **Subject to Standing Order 1(w) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting.**
- q) ● ● ● **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise her/his casting vote whether or not s/he gave an original vote.** *(See also Standings Orders 2(h) and 2(i) below.)*
- r) ● **Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave her/his vote for or against that question.** Such a request shall be made before the vote is taken.
- s) ● ● ● **The minutes of a meeting shall record the names of Councillors present and apologies for absence.**
- t) ● ● ● **A Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- v) ● ● ● **No business may be transacted at a meeting of the Council unless at least one third (8) of the whole number of Members of the Council are present and in no case shall the quorum of a committee, sub-committee, working group or Task & Finish Group meeting be less than 3.**
- w) ● ● ● **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.**

2. ORDINARY COUNCIL MEETINGS

(See also Standing Order 1 above)

- a) **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b) **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**

- c) **If no other time is fixed, the annual meeting of the Council shall take place at 6.00 pm.**
- d) **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e) **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- f) **The Chairman of the Council, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until her/his successor is elected at the next annual meeting of the Council.**
- g) **The Vice-Chairman of the Council, if any, unless s/he resigns or becomes disqualified shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h) **In an election year, if the current Chairman of the Council has not been re-elected as a Member of the Council, s/he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- i) **In an election year, if the current Chairman of the Council has been re-elected as a Member of the Council, s/he shall preside at the meeting until a new Chairman of the Council has been elected. S/he may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- j) Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
 - i) **In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his/her acceptance of office form unless the Council resolves for this to be done at a later date.**
 - ii) Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes and/or to determine recommendations made by committees.
 - iii) Appointment of committees, sub-committees, working groups, Task & Finish Groups.
 - iv) Appointment of representatives to represent the Council on Outside Bodies.
 - v) Any other business specified in the summons.

Other Meetings

- k) After the first business has been completed the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

- i) **After consideration to approve the signing of the Minutes by the person presiding as a correct record.**
- ii) **To deal with business expressly required by statute to be done.**
- iii) Chairman's announcements.
- iv) To dispose of business, if any, remaining from the last meeting.
- v) To receive and consider reports and minutes of committees.
- vi) To answer questions from Councillors.
- vii) To receive and consider resolutions or recommendations in the order in which they have been received.
- viii) To consider motions in the order in which notice has been received.
- ix) Any other business specified in the summons.

Urgent Business

- m) A motion to vary the order of business on the grounds of urgency:
 - i) May be proposed by the Chairman or by any Councillor and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - ii) Shall be put to the vote without discussion.

3. PROPER OFFICER

- a) The Council's Proper Officer shall be either:
 - i) The Chief Executive Officer
 - ii) Or such other employee as may be appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.
- b) The Council's Proper Officer shall do the following:
 - i) **Sign and serve on Councillors by delivery or post or email at their residence a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**
 - ii) **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**
 - iii) Subject to Standing Orders 4(a)-(e) below, include in the agenda all motions in the order received unless a Councillor has given written notice at least 7 days before the meeting confirming her/his withdrawal of it.

- iv) **Convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in her/his office, in accordance with Standing Order 3(b)(i) above.**
- v) Make available for inspection the minutes of meetings.
- vi) **Receive and retain copies of byelaws made by other local authorities.**
- vii) Receive and retain acceptance of office forms from Councillors.
- viii) Retain a copy of every Councillor's register of interests.
- ix) Keep proper records required before and after meetings.
- x) Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi) Receive and sign general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii) Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii) Arrange for legal deeds to be signed by two Councillors and witnessed. (See also Standing Orders 15a) and (b).)
- xiv) Arrange for prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.
- xv) Record every planning application notified to the Council and the Council's response to the local planning authority electronically on the planning software used by the Council.
- xvi) Refer a planning application received by the Council to the Chairman or in her/his absence the Vice-Chairman of the Planning Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of the planning application requires consideration before the next ordinary meeting of the Planning Committee.
- xvii) To certify copies of bylaws made by the Council.
- xviii) Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

4. MOTIONS REQUIRING WRITTEN NOTICE

- a) In accordance with Standing Order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 5 clear days before the next meeting.
- b) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- c) Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.

- d) The Proper Officer shall insert in the Summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Councillor giving a notice of motion has stated in writing that s/he intends to move at some later meeting or that s/he withdraws it.
- e) If a resolution or recommendation specified in the summons is not moved either by the Councillor who gave notice of it or by any other Councillor, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- f) Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all Councillors.
- g) Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.
- h) If the subject matter of a resolution 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; provided that the Chairman, if s/he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

5. MOTIONS NOT REQUIRING WRITTEN NOTICE

- a) Motions in respect of the following matters may be moved without written notice:
 - i) To appoint a person to preside at a meeting.
 - ii) To approve the accuracy of the minutes of the previous meeting.
 - iii) To correct an inaccuracy of the draft minutes of the previous meeting.
 - iv) To dispose of business, if any, remaining from the last meeting.
 - v) To alter the order of business on the agenda for reasons of urgency or expedience.
 - vi) That the Council proceed to the next business.
 - vii) To close or adjourn debate.
 - viii) To refer by formal delegation a matter to a committee or a sub-committee or an employee.
 - ix) To appoint a committee or sub-committee or any Councillors (including substitutes) thereto.
 - x) To receive nominations to a committee or sub-committee.
 - xi) To dissolve a committee or sub-committee.
 - xii) To note the minutes of a meeting of a committee or sub-committee.
 - xiii) To consider a report and/or recommendations made by a committee or a sub-committee or any employee.
 - xiv) To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.

- xv) To authorise legal deeds to be signed by two Councillors and witnessed. (See Standing Orders 14(a) and (b) below.)
 - xvi) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xvii) To give leave to withdraw a resolution or amendment.
 - xviii) That the question be now put.
 - xix) To extend the time limit for speeches.
 - xx) To exclude the press and public for all or part of a meeting.
 - xxi) To silence or exclude from the meeting a Councillor or member of the public for disorderly conduct.
 - xxii) To give the consent of the Council if such consent is required by Standing Orders.
 - xxiii) To suspend any Standing Order except those which are mandatory by law.
 - xxiv) To adjourn the meeting.
 - xxv) To appoint representatives to outside bodies.
- b) If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6. RULES OF DEBATE

a) Motions and Amendments

- i) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- ii) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- iii) A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.

b) Seconded's Speech

A Councillor when seconding a motion or amendment may, if s/he then declares her/his intention to do so, reserve her/his speech until a later period of the debate.

c) Content of Speeches

A Councillor shall direct her/his speech to the question under discussion or to a personal explanation or to a point of order – naming the appropriate order.

d) Length of Speeches

No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes except by consent of the Chairman of the Council.

e) Amendments to Motions

- i) A resolution or amendment shall not be discussed unless it has been proposed and seconded and, unless proper notice has already been given, it shall, if required by the Chairman, be put in writing and handed to her/him before it is further discussed or put to the meeting.
- ii) A Councillor may move amendments to her/his own motion. If that motion has already been seconded, an amendment to it shall be moved only with the consent of the seconder.
- iii) Any amendment to a motion shall be relevant to the motion and shall be either:
 - To leave out words
 - To add words
 - To leave out words and add other words
 - To refer a subject of a debate to a committee for consideration or reconsideration
- iv) An amendment to a motion shall not have the effect of rescinding, negating or radically altering the original or substantive motion under consideration.
- v) Only one amendment shall be moved and debated at a time. No further amendments to a motion shall be moved until the amendment under discussion has been disposed of unless the Chairman considers this expedient.
- vi) If an amendment is not carried, other amendments may be moved on the original motion.
- vii) If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- viii) The mover of the motion or of an amendment shall have the right of reply, not exceeding 3 minutes.
- ix) A Councillor, other than the mover of a resolution, shall not, without leave of the Council, 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.
- x) A Councillor may speak on a point of order or a personal explanation. A Councillor speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by her/him which may have been misunderstood.
- xi) A Councillor exercising a right of reply shall not introduce new matters.
- xii) After the right of reply has been exercised or waived, a vote shall be taken without further discussion.
- xiii) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of the debate and immediately before it is put to the vote.

f) When a Councillor May Speak Again

Subject to Standing Orders 6(f), (h) and (i), a Councillor may not speak further in respect of any one motion whilst it is the subject of debate, except:

- i) to speak once on an amendment moved by another Councillor;
- ii) to move or speak on another amendment if the motion has been amended since he/she last spoke;
- iii) to make a point of order;
- iv) to give a personal explanation; or
- v) in exercise of a right of reply.

g) Points of Order and Personal Explanation

- i) During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and shall be entitled to be heard forthwith and the Councillor who was interrupted shall stop speaking.
- ii) A Councillor raising a point of order shall identify the Standing Order or statutory provision which s/he considers has been breached and the way s/he considers it has been breached or specify the irregularity in the meeting s/he is concerned by.
- iii) A point of order shall be decided by the Chairman and her/his decision shall be final.
- iv) A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood in the present debate.

h) Withdrawal of a Motion

A motion amendment may be withdrawn by the proposer with the consent of the Council and in cases of Motions Moved Without Notice with the consent of the seconder, which shall be signified without discussion, and no Councillor may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

i) Motions Which May be Moved During a Debate

When a Councillor's motion is under debate no other motion shall be moved except:

- i) To amend the motion
- ii) To proceed to the next business
- iii) To adjourn the debate
- iv) To put the motion to a vote
- v) To ask a person to be no longer heard or to leave the meeting
- vi) To refer a motion to a committee or sub-committee for consideration
- vii) To exclude the public and press
- viii) To adjourn the meeting
- ix) To suspend particular Standing Order, excepting those which reflect mandatory statutory requirements.

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

k) **Standing**

A Councillor shall stand when speaking unless permitted by the Chairman to sit on account of infirmity.

l) **Ruling on Point of Order or Personal Explanation**

The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

m) **Mode of Address**

During the sitting of the Council, Councillors shall address the Chairman and every Councillor shall, in referring to the Chairman, Vice-Chairman, Councillors and Officers, employ their respective official titles.

n) **Only One Councillor to Stand and Speak at a Time**

A Councillor when speaking shall stand and address the Chairman. If two or more Councillors rise, the Chairman shall call on one to speak; the other or others shall then sit. While a Councillor is speaking the other Councillors shall remain seated and silent, unless rising on a point of order or in personal explanation.

o) **Respect for the Chairman**

Whenever the Chairman speaks during a debate a Councillor then standing shall resume her/his seat and the Council shall be silent.

p) **Closure Motions**

A Councillor may move without comment at the conclusion of a speech of another Councillor:

- i) "That the Council proceed to the next business".
- ii) "That the motion be now put".
- iii) "That the debate be now adjourned".
- iv) "That the Council do now adjourn".

On the seconding of which the Chairman shall proceed as follows:

- On a motion "That the Council proceed to the next business", unless in her/his opinion the matter before the meeting has been insufficiently discussed, s/he shall first give the mover of the original motion a right of reply, and then put to vote the motion to proceed to the next business.
- On a motion "That the motion be now put", unless in her/his opinion the matter before the meeting has been insufficiently discussed, s/he shall first put to the vote the motion that the motion be now put, and if it is passed then give the mover of the original motion her/his right of reply under Standing Order 6(f) before putting her/his motion to the vote.

- On a motion “That the debate be now adjourned” or “That the Council do now adjourn”; if in her/his opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discuss on that occasion, s/he shall put the adjournment motion to the vote without giving the mover of the original motion her/his right of reply on that occasion.
- On resuming an adjourned debate, the Councillor who moved its adjournment shall be entitled to speak first.

(NOTE: Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be issued except a notification to Councillors not present of the date of the continuation of the meeting.)

q) Alterations of Motions

- i) For Motions Moved on Notice a Councillor may:
 - a) With the consent of the Council without discussion alter a motion of which s/he has given notice, provided the alteration is one which could be made as an amendment thereto;
 - and
 - b) Move amendments to her/his own motion.
- ii) For Resolutions Moved Without Notice a Councillor may:
 - a) With the consent of her/his seconder and the Council signified without discussion alter a motion, provided the alteration is one which could be made as an amendment thereto;
 - and
 - b) With the consent of her/his seconder, move amendments to her/his own motion.

7. CO-OPTION: PROCEDURE TO FILL A CASUAL VACANCY OCCURING ON THE TOWN COUNCIL

- a) If a casual vacancy should arise on the Council due to:
 - a Councillor’s failure to make his/her Declaration of Acceptance of Office within the proper time,
 - resignation or
 - death

then the Chief Executive Officer will normally start the proceedings to fill the vacancy without further recourse to a meeting of the Town Council.

- b) If a casual vacancy arises for any other reason, e.g. disqualification due to six months absence from meetings or other reason for disqualification, then the Chief Executive Officer on behalf of the Town Council shall declare the office vacant and start the proceedings to fill the vacancy without further recourse to a meeting of the Town Council.
- c) If a casual vacancy arises within six months of the day when the Councillor whose office is declared vacant would ordinarily have retired then no by-election may be demanded. As the Council is permitted either to advertise the vacancy for co-option or to leave the office

vacant until the date of the next ordinary election, the Council will be asked at its next suitable meeting which option it wishes to pursue.

- d) Except in the circumstances described in (c) above, notice of the vacancy will be issued by the Town Council in consultation with the Electoral Services section of Lichfield District Council; notices will normally be placed on the Council's notice board, on the Council's web site, in Burntwood Library and in the local press.
- e) If a by-election is called, Electoral Services will inform the Town Council and will then make all the necessary arrangements for the by-election. Poll cards for the by-election will be issued by Electoral Services; poll cards are optional and the Town Council will incur a cost for issuing them.
- f) If no by-election is called, Electoral Services will inform the Town Council and the Town Council can co-opt a new Member. Normally the Chief Executive Officer will invoke the procedure to do this immediately without recourse to a meeting of the Council.
- g) Co-option vacancies will be advertised on the Council's notice board and through any other medium which the Council or Chief Executive Officer consider suitable.
- h) Applications for co-option will be considered at the next suitable meeting of the Council.
- i) Applicants for co-option will be asked to submit information about themselves and must confirm their eligibility for the position of councillor within the statutory rules. They will be invited to give a presentation of up to three minutes to the Council meeting at which the co-option will be considered.
- j) At the meeting there will be no further discussion following the presentations. The Council shall vote upon the applicant(s). The Council will suspend Standing Order 1(s) and agree to conduct the vote by ballot. Ballot papers will be distributed and the Council will proceed immediately to vote. The Council reserves the right not to make a co-option.
- k) Voting will be according to the statutory requirements, i.e. by a clear majority of those present and voting.
- l) The successful application will execute the Declaration of Acceptance of Office within the specified timeline after the decision has been made and will therefore receive summonses to meetings of the Council and may act as a Member of the Council.

8. CODE OF CONDUCT (ENGLAND)

See also Standing Orders 1(d)-(i) above.

- a) All Councillors shall observe the Code of Conduct adopted by the Council on 12 July 2012.
- b) If a Councillor has a personal interest as defined by the Code of Conduct adopted by the Council on 12 July 2012 then s/he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- c) Councillors with a Disclosable Pecuniary Interest (DPI) will leave the room when the item in which they have interest is discussed by the Council.
- d) If a Councillor who has declared a personal interest then considers the interest to be prejudicial, s/he must withdraw from the room or chamber during consideration of the item to which the interest relates.

- e) **Dispensation requests shall be in writing 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.
- f) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- g) The existence, duration and nature of any dispensations granted will be clearly minuted and included in the Register of Disclosable Interests.
- h) The Proper Officer is required to compile and hold a Register of Councillors' interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.
- i) **A dispensation may be granted in accordance with standard order 8(f) above if having regard to all relevant circumstances the following applies:**
 - i) **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii) **granting the dispensation is in the interests of persons living in the Council's area or**
 - iii) **it is otherwise appropriate to grant a dispensation.**

9. QUESTIONS

- a) A Councillor may seek an answer to a question concerning any business of the Council provided 2 clear days notice of the question has been given to the Proper Officer.
- b) Questions not related to items of business on the Agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c) Every question shall be put and answered without discussion.
- d) A person to whom a question has been put may decline to answer.

10. MINUTES

- a) If a copy of the draft Minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b) No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be moved in accordance with standing order 5(ii) above.
- c) Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the Minutes relate.
- d) If the Chairman of the meeting does not consider the Minutes to be an accurate record of the meeting to which they relate, s/he shall sign the Minutes and include a paragraph in the following terms or to the same effect:

"The Chairman of this meeting does not believe that the Minutes of the meeting of the () held on [date] in respect of () were a correct record but her/his view was not upheld by the majority of the () and the Minutes are confirmed as an accurate record of the proceedings."

- e) Upon a resolution which confirms the accuracy of the Minutes of a meeting, any previous draft Minutes or recordings of the meeting shall be destroyed.

- f) **Presentation of Committee Minutes and Reports**

The Chairman of the committee concerned, or in her/his absence the Vice-Chairman or, should s/he also be absent, such other Councillor as the Chairman may select, shall move an original motion that the Minutes of her/his committee be received or approved and adopted as the case may be. On such a motion being duly seconded it shall operate as a series of motions that each item of the Minutes or report be received and the recommendations therein (if any) be adopted. The committee minutes shall here upon be open to discussion by the Council.

11. DISORDERLY CONDUCT

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b) If, in the opinion of the Chairman, there has been a breach of Standing Order 11(a) above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting and the motion, if seconded, shall be put forth with and without discussion.
- c) If a resolution made in accordance with Standing Order 11(b) above is disobeyed the Chairman may take such further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

- d) **General Disturbance**

In the event of general disturbance which, in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman may, without the question being put, adjourn the meeting for such period as s/he at her/his discretion shall consider expedient.

- e) **Disturbance by Members of the Public**

If the public interrupts the proceedings of any meeting, the Chairman of the Council or committee Chairman may, after warning, order that s/he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

12. RECISSION OF PREVIOUS RESOLUTIONS

- a) A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 11 Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b) When a special motion or any other motion moved pursuant to Standing Order 12(a) above has been disposed of, no similar motion may be moved within a further 6 months.

13. VOTING ON APPOINTMENTS

Version 4.0

Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of the 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.

14. EXPENDITURE

- a) Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
- b) **The Council's Financial Regulations shall be reviewed once a year.**
- c) **The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**
- d) **Orders for the payment of money shall be authorised by resolution of the Council and signed by two Councillors.**

15. EXECUTION AND SEALING OF LEGAL DEEDS

See also Standing Order 5(a)(xv) above.

- a) A legal deed shall not be executed on behalf of the Council unless the same has been authorised by resolution.
- b) **In accordance with a resolution made under Standing Order 14(a) above, any two Members of the Council may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**
- c) **Authentication of Documents for Legal Proceedings**

Where any document will be a necessary step in legal proceedings on behalf of the Council it shall be signed by the Proper Officer or a person authorised by him unless any enactment otherwise requires or authorises, or the Council give the necessary authority to another officer for the purpose of such proceedings.

16. COMMITTEES

See also Standing Order 1 above.

- a) The Council may, at its Annual Meeting, appoint committees and may at any other time appoint such committees as may be necessary, and:
 - i) Shall determine their terms of reference.
 - ii) May permit committees to determine the date of their meetings.
 - iii) Shall appoint and determine the term of office of members of such a committee so as to hold office no later than the next Annual Meeting.
 - iv) May appoint substitute Councillors to a committee whose role is to replace ordinary Councillors at a meeting of a committee if ordinary Councillors of the committee have confirmed to the Proper Officer 2 days before the meeting that they are unable to attend.

- v) An ordinary Member of a committee who has been substituted at a meeting by a substitute Member (in accordance with Standing Order 16(a)(iv) above shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.
- vi) May in accordance with Standing Orders, dissolve a committee at any time.
- vii) Except where authorised by statute or ordered by the Council, in the case of a committee, the quorum of a committee shall be one-half of its Members.

17. SUB-COMMITTEES

See also Standing Order 1 above.

- a) Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and Members shall be determined by resolution of the committee.
- b)
 - i) No act of the sub-committee shall have effect until approved by the committee or the Council as appropriate.
 - ii) All sub-committees will report to the parent committee on a regular basis.
- c) The Chairman and Vice-Chairman of the committee shall be Members of every sub-committee appointed unless they signify that they do not wish to serve.

18. EXTRAORDINARY MEETINGS

See also Standing Order 1 above.

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

19. ADVISORY COMMITTEES

See also Standing Order 1 above.

- a) The Council may appoint Advisory Committees comprised of a number of Councillors.
- b) The name of an Advisory Committee, the number of Members and the bodies to be invited to nominate Members shall be specified.
- c) The Proper Officer shall inform the Members of each Advisory Committee of the terms of reference of the committees.

- d) An Advisory Committee may make recommendations and give notice thereof to the Council but its decisions and recommendations shall not be mandatory.

20. RESPONSIBLE FINANCIAL OFFICER

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

21. ACCOUNTS AND ACCOUNTING STATEMENTS

- a) "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.
- b) The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i) the Council's receipts and payments for each quarter;
 - ii) the Council's aggregate receipts and payments for the year to date;
 - iii) the balances held at the end of the quarter being reportedand which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i) each Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and
 - ii) to the Full Council the accounting statements for the year in the form of Section 2 of the Annual Return, as required by proper practices, for consideration and approval.
- e) The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft Annual Return shall be presented to each Councillor before the end of the following month of May. The Annual Return of the Council, which is subject to external audit, including the governance statement, shall be presented to Council for consideration and formal approval before 30 June.

22. ESTIMATES/PRECEPTS

- a) **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b) Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than 31 October.

23. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

Version 4.0

- a) Canvassing Councillors or the Members of a committee or sub-committee directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such appointment. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.
- b) A Councillor or a Member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c) This Standing Order shall apply to tenders as if the person making the tender were a candidate for appointment.

24. INSPECTION OF DOCUMENTS

- a) Subject to Standing Orders to the contrary a Councillor may, for the purposes of her/his official duties (but not otherwise) inspect any documents in the possession of the Council or a committee or a sub-committee and request a copy for the same purpose.
- b) The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors.

25. UNAUTHORISED ACTIVITIES

Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:

- a) Inspect or enter any land and/or premises which the Council has a right or duty to inspect or enter; or
- b) Issue orders, instructions or directions.

26. CONFIDENTIAL BUSINESS

- a) Councillors and employees shall not disclose confidential or sensitive information which for special reasons would not be in the public's interest.
- b) A Councillor in breach of the provisions of Standing Order 26(a) above may be removed from a committee or a sub-committee by a resolution of the Council.
- c) An employee in breach of the provisions of Standing Order 26(a) above may be subject to disciplinary action by the Council.

27. GENERAL POWER OF COMPETENCE (ENGLAND)

- a) **Before exercising the general power of competence, a meeting of the Full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.**
- b) **The Council's period of eligibility begins on the date that the resolution under Standing Order 27(a) above was made and a resolution should be passed at each subsequent relevant annual meeting confirming that the Council meets the conditions set out below:**

(1) At the time a resolution under paragraph 1 is passed:

- (a) the number of members of the Council that have been declared to be elected, whether at ordinary elections or at a by-election, is equal to or greater than two-thirds of the total number of members of the Council;**
- (b) the clerk to the parish council holds:**
 - (i) the Certificate in Local Council Administration;**
 - (ii) the Certificate of Higher Education in Local Policy;**
 - (iii) the Certificate of Higher Education in Local Council Administration; or**
 - (iv) the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications; and**
- (c) the clerk to the parish council has completed the relevant training, unless such training was required for the purpose of obtaining a qualification of a description mentioned in paragraph (b).**

(2) For the purposes of this paragraph "relevant training" means training:

- (a) in the exercise of the general power;**
 - (b) provided in accordance with the national training strategy for parish councils adopted by the National Association of Local Councils, as revised from time to time.**
- c) After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the general power of competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 27(b) above.**

28. MATTERS AFFECTING COUNCIL EMPLOYEES

- a) If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council, committee or sub-committee has decided whether or not the press and public shall be excluded pursuant to Standing Order 1(c) above.
- b) Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, capabilities, grievance and disciplinary matters as confidential and secure.
- c) The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- d) No employee other than the Chief Executive Officer shall have access to staff records referred to in Standing Orders 28(b) and (c).
- e) Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 128b) and (d) above shall be provided only to the Direct Services Manager and/or Senior Administration Officer if so justified.
- f) **Relatives of Councillors or Officers**

If a candidate for any appointment under the Council is to her/his knowledge related to any Councillor or the holder of any office under the Council, s/he and the person to whom s/he is related shall disclose the relationship in writing to the Proper Officer. A candidate who fails to do so shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Proper Officer shall report to the Council or to the appropriate committee any such disclosure.

- g) The Proper Officer shall make known the purpose of this Standing Order to every candidate.

29. FREEDOM OF INFORMATION ACT 2000

Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Policy & Resources Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

30. FINANCIAL CONTROLS AND PROCUREMENT

- a) The Council shall consider and approve Financial Regulations drawn up by the RFO, which shall include detailed arrangements in respect of the following:
- i) The accounting records and systems of internal control.
 - ii) The assessment and management of financial risks faced by the Council.
 - iii) The work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the Internal Auditor, which shall be required at least annually.
 - iv) The inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.
 - v) Procurement policies (subject to Standing Order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.
- b) Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c) **Financial Regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in Standing Order 30(d) below,**
- d) Subject to additional requirements in the Financial Regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i) A specification of the goods, materials, services and the execution of works shall be drawn up.
 - ii) An invitation to tender shall be drawn up to confirm (i) the Council's specification, (ii) the time, date and address for the submission of tenders, (iii) the date of the Council's

- written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process
- iii) The invitation to tender shall be advertised in an appropriate manner.
 - iv) Tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer.
 - v) Tenders submitted shall be opened by the Proper Officer in the presence of at least one Councillor after the deadline for submission of tenders has passed
 - vi) Tenders are to be reported to the appropriate meeting of the Council or committee or sub-committee with delegated responsibility
- e) Neither the Council, nor a committee a sub-committee with delegated responsibility is bound to accept the lowest value tender, estimate or quotation or indeed any
- f) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g) **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

31. ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

- a) On receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer (Chief Executive Officer) shall refer it to the Monitoring Officer at Lichfield District Council.
- b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Leader of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this Standing Order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c) Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d) The subject matter of notifications shall be confidential and, insofar as it possible to do so by law, the Council (including the Proper Officer and the Leader of the Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality:

- i) Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii) Ensure that any background papers containing the information set out in Standing Order 30(a) above are not made public.
 - iii) Ensure that the public and press are excluded from meetings as appropriate.
 - iv) Ensure that the minutes of meetings preserve confidentiality.
 - v) Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e) Standing Order 30(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Leader of the Council otherwise) from disclosing information to Councillors and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f) The Council may:
- i) Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter.
 - ii) Seek and share information relevant to the complaint.
 - iii) Grant the Councillor involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the Full Council.
- g) References in Standing Order 30 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the Code of Conduct by a Councillor.
- h) **Upon notification by the District Council that a Councillor has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against her/him. Such action excludes disqualification or suspension from office.**

32. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

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

33. RESTRICTION ON COUNCILLOR ACTIVITIES

Unless authorised by a resolution, no Councillor shall:

- i) inspect any land and/or premises which the Council has a right or duty to inspect,
or
- ii) issue orders, instructions or directions.

34. STANDING ORDERS TO BE GIVEN TO COUNCILLORS

Version 4.0

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