



AYLESBURY TOWN COUNCIL

Chairmanship Standing Orders Financial Regulations

Reviewed & Approved July 2024

Preface

This booklet contains two major sections. Part I is intended as guide for those presiding at meetings of Local Councils and a source to refer to when there is a procedural difficulty during a meeting. Part II provides a complete model set of Standing Orders incorporating various new requirements, such as those to be observed under the new Code of Conduct. Even if Standing Orders have not been formally adopted, a chairman can use them as a basis for rulings on procedures if there is a dispute.

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

If the words “Local Councils” are used, it means Parish and Town Councils in England and Community and Town Councils in Wales.

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

Town Mayors

The Chairman of a Town Council is entitled to use the title “Town Mayor”. The title confers no additional powers on the chairman, and in particular, has no implications for his conduct in meetings.

(In the following pages the word “Chairman” includes “Town Mayor” and the word “Vice-Chairman” includes “Deputy Town Mayor”. In addition, where appropriate use of the word “he” is to include the meaning “she”.)

Contents

Preface	2
Town Mayors.....	2
Part I - Chairmanship.....	7
1. Basic Principles	7
2. The Authority of the Chair	7
2.1 Origin.....	7
2.2 Nature and Limitations.....	7
3. Preliminary	8
4. Outside Interference	8
4.1 Public Disturbances.....	8
4.2 Declarations of Interest - Pecuniary and Personal	9
4.3 Dispensations.....	9
4.4 Rulings on notices	10
4.5 Quorum	10
4.6 Ultra Vires Proposals.....	10
5. A Clear Issue.....	10
5.2 The Affirmative Form	11
5.3 Separating the Issues	11
6. Method of Voting	12
7. Completeness of Information	12
8. Impartiality.....	12
9. Relevance	13
9.1. General Rule	13
9.2. Personalities.....	13
9.3. Methods of Enforcement.....	13
9.4. Revival of Decided Issues	13
9.5. Minutes.....	13
9.6. Other Problems	13
10. Reasonable Despatch.....	14
10.1 Intervals.....	14
10.2 Obstruction at Meetings.....	14

10.3	Repetition	14
10.4	References	14
11.	Some Procedural Points	14
11.1	Points of Order	14
11.2	Procedural Resolutions.....	15
11.3	Closure Motions.....	15
11.4	Amendments	15
11.5	Any Other Business.....	15
11.6	“Urgent” Business.....	16
12.	Use of Chairman’s Votes	16
13.	Presence of the Public and Press.....	16
14.	Maladministration	16
15.	Public Participation	17
16.	Length of Meetings	17
	Part II - Standing Orders	18
	Preamble	18
1.	Meetings	18
2.	The Statutory Annual Meeting	18
3.	Chairman of the Meeting	19
4.	Proper Officer	19
5.	Quorum of the Council	19
6.	Minutes	20
7.	Apologies for Absence	20
8.	Voting.....	20
9.	Order of Business	21
10.	Urgent Business	22
11.	Resolutions Moved On Notice	22
12.	Resolutions Moved Without Notice.....	22
13.	Questions.....	23

14.	Rules of Debate.....	23
15.	Closure.....	25
16.	Disorderly Conduct.....	25
17.	Right of Reply.....	25
18.	Alteration of Resolution.....	26
19.	Rescission of Previous Resolution	26
20.	Voting On Appointments	26
21.	Discussions and Resolutions Affecting Employees of the Council	26
22.	Resolutions on Expenditure	26
23.	Expenditure	26
24.	Sealing of Documents.....	27
25.	Committees and Sub Committees.....	27
26.	Additional Meetings of the Council	28
27.	Extraordinary meetings of the Council, Committee and Sub-committees.....	28
28.	Sub-Committees.....	28
29.	Advisory Committees and Working Parties	29
30.	Voting in Committees.....	29
31.	Presence of Non-Members of Committees at Committee Meetings.....	29
32.	Accounts and Financial Statement	29
33.	Estimates/Precepts.....	30
34.	Interests (England)	30
35.	Canvassing of and Recommendations By Members	30
36.	Inspection of Documents.....	31
37.	Unauthorised Activities	31
38.	Admission of The Public and Press to Meetings	31
39.	Confidential Business	32
40.	Liaison with Councillors of the Principal Authority	32

41.	Planning Applications	32
42.	Financial Matters	33
43.	Code of Conduct on Complaints.....	34
44.	Variation, Revocation and Suspension of Standing Orders	34
45.	Standing Orders to be Given to Members.....	34
Part III - Financial Regulations		35
1.	General	35
2.	Budget and precept	36
3.	Budgetary Control.....	37
4.	Accounting and Audit.....	37
5.	Banking Arrangements and Cheques	39
6.	Payment of Accounts	39
7.	Payment of Salaries and Wages	40
8.	Loans and Investments	41
9.	Income	41
10.	Orders for work, goods and services	42
11.	Procurement and Contracts	42
12.	Payments Under Contracts for Building or Other Construction Works	44
13.	Stores and Equipment	44
14.	Assets, Properties and Estates	44
15.	Insurance	45
16.	Risk Management.....	45
17.	Suspension and Revision of Financial Regulations.....	46
18.	Duties of the Responsible Finance Officer (RFO)	46

Part I - Chairmanship

(NOTE: In this part, the word "Chairman" means the person actually presiding at a meeting and "Council" includes "committee," where any function has been delegated. The Standing Orders in Part II may be applied or modified accordingly.)

1. Basic Principles

- 1.1 The officers and agents of the Council must act as the Council's executive and carry out its decisions. They cannot do this properly unless they have instructions that they can understand.
- 1.2 It is the primary, if not the only, function of the Council to frame instructions upon which people can act; even a decision to take no action, is such an instruction.
- 1.3 The Council's instructions are conveyed by resolutions and it is the purpose of the Council's proceedings to *reach, without unreasonable delay, an intelligible and lawful decision for the right reasons*. The whole duty of a Chairman is to ensure that this purpose is achieved and to this end he must: -
 - a) protect the Council against *outside interference*
 - b) ensure that everything to be discussed is *lawful*
 - c) ensure that the Council is invited to deal with *clear issues*
 - d) ensure that as far as possible *information is complete*
 - e) permit every point of view to have a *fair hearing*
 - f) ensure that opinions expressed are *relevant* to the matter in hand
 - g) ensure that business is transacted with *reasonable speed*
 - h) ensure as far as possible that proceedings are *friendly* and *free from personalities*
 - i) co-operate with the officers and councillors.

2. The Authority of the Chair

2.1 Origin

The office of Chairman of a local authority is created by statute, which has conferred upon the occupant of the chair a second or casting vote on all occasions but one.

The scope of his authority, however, depends upon ancient customs which are perfectly logical and arise from the necessities of the case.

2.2 Nature and Limitations

- 2.2.1 Whether or not the Council has passed any standing orders, the Chairman's procedural authority is derived from the Council as a whole and an individual councillor must obey his rulings because they are the rulings of the Council itself. It follows from this, however, that the Chairman cannot overrule the Council and that a

councillor who is dissatisfied by the Chairman's ruling may invite the Council to disagree with it. Such appeals against the chair ought to be very rare.

- 2.2.2 The authority of the Chairman, as such, is limited to matters of procedure and neither increases nor decreases his right (in comparison with other members) to discuss the merits of a particular case. It is one of his most difficult tasks to remember that, while the Chair gives him authority on matters of procedure, it confers no rights (other than the casting vote) on matters of policy above those possessed by other members.

3. Preliminary

- 3.1 Before any meeting, the Chairman should study the items on the agenda with either the Clerk to the Council (Clerk) or any other officers, and should in effect ask in respect of each item the following questions: -

What does it mean?

Is it lawful?

Do we know enough about it?

Has any member special knowledge of this problem?

Is there any member who may have a prejudicial interest?

4. Outside Interference

4.1 Public Disturbances

- 4.1.1 No one is entitled to interrupt or obstruct the proceedings of the Council or its committees. In general it is best to stop an interruption at once before the habit spreads to the rest of the audience; and though he will naturally not wish to be rude, the Chairman should cut an interrupter short, and if good humour and conciliation fail to produce silence he may have to warn him that he will be turned out if he does it again; if the warning is ignored it should be resolved, without discussion, that the interrupter be excluded, and if he fails to leave he should be removed by force. Care should be taken to use no more force than necessary. It is not essential to call the police, but maybe necessary.
- 4.1.2 The Chairman should never argue or allow argument with an interrupter. If the public becomes disorderly it may eventually be necessary to close the meeting or to adjourn to a more private place. It is, however, illegal to decide to exclude the public from any future meeting. The press is in a privileged position in as much as its representatives must so far as possible be given facilities for taking their reports.

4.2 Declarations of Interest - Pecuniary and Personal

4.2.1 The law requires that Members declare pecuniary interests by completing a form and submitting it to the Monitoring Officer of Buckinghamshire Council. Coldharbour Parish Council Members must declare at every meeting if they have any particular interest whether pecuniary or not on any matter of business to be discussed. Members must disclose the existence and nature of that interest. Members may speak in the Public Section of the Meeting if allowed to do so depending on their interest but must not take part in the debate or vote, unless a dispensation has been granted by the Clerk, but at the specific time in the meeting must withdraw from the meeting and take no further part in the relevant proceedings or seek to influence those proceedings. The Chairman (with advice from the Clerk) should before a meeting consider whether any member (including himself) may have any such interest and may draw the individual member's attention to the possibility before it starts. However, ultimately, it is for the member to decide whether or not to disclose any relevant interest. Failure to disclose an interest could lead, depending on the interest, to prosecution.

4.3 Dispensations

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

4.3.2 A decision as to whether to grant a dispensation shall be made by the Clerk.

4.3.3 A dispensation request shall confirm:

- a) The description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates.
- b) Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote.
- c) The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- d) An explanation as to why the dispensation is sought.

4.3.4 Subject to [Part I point 4.3.1](#) and [4.3.3](#) a dispensation request shall be considered by the Clerk before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.

4.3.5 A dispensation may be granted in accordance with [Part I, point 4.3.2](#) if having regard to all relevant circumstance any of the following apply:

- a) **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.**
- b) **Granting the dispensation is in the interests of the persons living in the Council's area; or**
- c) **It is otherwise appropriate to grant a dispensation.**

4.4 Rulings on notices

- 4.4.1 The Chairman (with advice from the Clerk) must be satisfied that the meeting is lawful. The Chairman does not need to have personal knowledge that the proper notices and summonses have been issued, but if complaints are made, he must give a ruling based upon the essential justice of the matter. A meeting is not necessarily illegal because someone has not received a notice to which he is entitled, but where an irregularity appears to be intentional the meeting should be adjourned until it has been corrected. If Council agrees (upon hearing the reasons for the non-compliance of the rules regarding notices and votes to continue with the meeting) then the Chairman should proceed to chair the meeting and the minutes of that meeting be received and signed as correct at the next meeting. The Council should seek advice from the Clerk on these matters.

4.5 Quorum

- 4.5.1 **No business can be transacted if no quorum is present.** This rule applies not only to cases of physical absence but to cases of disqualification by interest. A situation may, therefore, sometimes arise where the Council cannot act because it is impossible to obtain a disinterested quorum. In such a case the Chairman should adjourn the matter until it can be next dealt with.
- 4.5.2 Members who sit on Council committees have a duty to attend all meetings of the committees. Apologies for non-attendance will be considered and a decision noted in the minutes in accordance with council regulations. However, if a Member (no matter whether an apology has been accepted or not) fails to attend 6 months or 6 consecutive committee meetings, whichever is the shortest, will automatically lose their seat on the committee and the matter will need to be put to Full Council for discussion and for the Full Council to agree and appoint a new Member to that Committee, or if it is deemed appropriate to re-appoint the disqualified member to the committee, taking into account the specific reasons for non-attendance.

4.6 Ultra Vires Proposals

- 4.6.1 The Council should satisfy itself that any proposal involving expenditure is lawful and should rule any unlawful proposal or amendment out of order. Where there is any doubt, advice should be sought well before the meeting and in time to delete it, if necessary, from the agenda. The section 137 power (*contained in the [Local Government Act 1972](#)*) is not a “long stop” in case of a mistake; expenditure under this heading requires a special resolution, related to the provisions of that section.

5. A Clear Issue

- 5.1 **Every decision of the Council must be made by an affirmative vote of a majority of those present and voting (including, where necessary, the Chairman’s second or casting vote).** The members must, therefore, know exactly what they are being asked to decide and each proposition must be put to them in a form which can be answered by a simple “Yes” or “No”. From this there follows certain practical consequences: -

- a) All motions should be affirmative in form; it is never necessary to move that a resolution be rejected.
- b) Where there is more than one solution to a problem each solution must be separately put to the vote.

5.2 The Affirmative Form

5.2.1 The most exact method of putting a question to the vote is by the use of the following formula:

“The resolution is as follows: -

(e.g.) ‘That the Clerk’s salary be raised to £5,000 a year.’

The motion is that this resolution be agreed to.”

(Note: A *resolution* is a proposal of the action intended to be taken, for example “That the Council buy a mower”. A *motion* is the procedural formula by which the Council disposes of business: for example, “The motion is that the resolution be amended by _____ “or “The motion is that the Council do now adjourn”).)

5.3 Separating the Issues

5.3.1 In attempting to reach a decision a Council may from time to time be faced with alternative solutions. Some alternatives may be mutually exclusive; others may be matters of detail subsidiary to the principal issue.

5.3.2 Where the alternatives are mutually exclusive it may be desirable in the first instance to discuss the resolutions embodying them together until the general trend of opinion is apparent and then to put one of them in the form of an amendment to the other; for instance, if a Council considers that it can afford either a swimming pool or a new playing field but not both, a decision to provide the one in practice excludes the other. Therefore, the resolution on behalf of each should be discussed together and the issue at this stage may be informally stated thus: -

“If the Council is to spend its money would it prefer a swimming pool or a playing field?”

In more formal language the issue is put to the vote by substantive resolution and amendment: -

“The resolution is that the swimming pool be provided. To this the following amendment has been moved: -

leave out the words ‘swimming pool’ and substitute the words ‘new playing field.’

The motion is that this amendment be agreed to.”

- 5.3.3 A vote on an amendment does not end the matter: it merely decides what shall be discussed next. Thus, in the example, if the amendment is carried, all further discussion of the swimming pool becomes out of order, but the Council has yet to decide whether the major operation shall be carried out at all. This is done by putting *the resolution as amended to the vote*. (see also [Part I Chairmanship point 11.4 b](#)) below.)

6. Method of Voting

- 6.1 The rules on the manner in which decisions are taken are peremptory (immediate action with no appeal) and admit no exceptions. Every decision must be reached by a majority of those voting.

7. Completeness of Information

- 7.1 Sensible decisions cannot be reached without reasonably complete information, which it is usually the duty of the clerk to supply. The Chairman should before the meeting consider whether enough information is available or likely to be made available. If it appears at the meeting that information is still insufficient he should move to adjourn consideration until more is known, and sometimes it may be desirable to frame questions and to instruct the Clerk to obtain the answers by a specified date.

8. Impartiality

- 8.1 When differences of opinion develop in discussion it is the duty of the Chairman to give a fair hearing to all points of view including his own, if he has one. It is not his duty as Chairman to suppress his own convictions nor his privilege to impose his opinions. Experience has shown that the safest and least controversial course is for the Chairman to call upon speakers for and against a proposal to speak alternately and himself to avoid speaking first or last.
- 8.2 Some people are better at putting a case than others and the Chairman ought to allow reasonable latitude to the less eloquent. For this reason mechanical rules of debate limiting, for instance, the time allowed for a speech or the number of times a member may speak, are undesirable, and the Chairman should have some latitude in applying them, especially in a Council with a small membership.

9. Relevance

9.1. General Rule

- 9.1.1 A speech must be directed to the point under discussion and nothing else. This rule is easy to state, but not always easy to apply fairly, because the relevance of what is being said may be understood by the speaker before it is grasped by the listener; whilst the rule should not be made a cover for “barracking from the chair” it is probably true that if the Chairmen enforced it more strictly, business would be much more quickly and efficiently conducted than is often the case, and many unnecessary arguments and even some quarrels would be avoided. Bad feeling originates in irrelevancies more often than in any other way. On the other hand, it is sometimes advantageous to allow irrelevance in order to “clear the air”. Too harsh suppression can breed ill will and a sense of grievance.

9.2. Personalities

- 9.2.1 The Chairman should do his best to prevent observations in discussion; the custom whereby the speeches are in a form addressed to the Chairman, should only be observed because it forces members to employ an impersonal mode of expression. If a member makes an offensive personal observation, the Chairman should immediately intervene to seek immediate apology to an offended member.

9.3. Methods of Enforcement

- 9.3.1 Where a speech is obviously irrelevant the Chairman should stop the speaker and invite him to return to the point or sit down. Where the irrelevance is not quite so obvious the Chairman may often find it convenient to ask the speaker to explain how his remarks relate to the issue.

9.4. Revival of Decided Issues

- 9.4.1 The Chairman should not allow a matter that has been decided to be reopened at the same meeting. An attempt to “hark back” to a previous agenda item should be firmly ruled out of order as irrelevant to the matter *now* under discussion, even if the member who raises it was not present when the item was considered.

9.5. Minutes

- 9.5.1 One of the commonest irrelevances is the practice of attempting to discuss the merits of what is contained in the minutes, on a motion for their signature as a correct record. On such a motion the only issue is whether the words of the minutes accurately record the decisions made at the meeting of which they are a record.

9.6. Other Problems

- 9.6.1 If any substantial issue arises on a matter dealt with in the Minutes, it is better to have a separate agenda item than to discuss it under “Matters Arising”. That

heading should be used only for reports of progress and not for new or additional decisions.

10. Reasonable Despatch

10.1 Intervals

10.1.1 It is important that business should be transacted with reasonable speed. Long meetings bore the members and so reduce the level of attentiveness and public spirit, and long intervals between meetings lead to missed opportunities and lack of continuity.

10.2 Obstruction at Meetings

10.2.1 Deliberate obstruction is rare but must be firmly dealt with when it occurs. It is difficult to be directly obstructive for long without being irrelevant, and therefore deliberate obstruction sometimes takes the form of raising a succession of points of order. In dealing with this type of obstruction it is well to remember that a point is not necessarily a point of order because the person who makes it labels it as such. (*for Points of Order see [Part I Chairmanship point 11.1](#) below.*)

10.3 Repetition

10.3.1 If it is evident that nothing new can be said on either side in a particular discussion, a Chairman is justified in putting the matter to the vote even though there are still members wishing to speak. Usually, however, the state of affairs is not so clear and in such cases the Chairman should ask leave of the Council to put the matter to the vote.

10.4 References

10.4.1 All deliberative bodies have a natural tendency to refer questions to someone else (e.g., an officer or a committee) for consideration or report. These are frequently unnecessary because they are often used only when a Council is unwilling to make a final decision.

11. Some Procedural Points

11.1 Points of Order

11.1.1 Points of Order relate to procedure only and take precedence of all other business; it is the duty of the Chairman to deal with them (with advice from the Town Clerk). If a point relates to the substance of a matter under discussion it is not a point of order and should be ruled out of order by the Chairman. The person raising the matter of substance in this way should be told to save it for his speech on the business. For instance, if the provision of a swimming pool is being discussed and someone interrupts the speaker by saying "On a point of order, can we afford it?" the interruption should be ruled out of order because this is not a procedural question.

It is part of the merits of the business and must therefore be decided by discussion. The person interrupted may of course answer the point when he continues his speech or ignore it as he thinks appropriate. If, however, the interruption had been “On a point of order, have we power to do this?” the Chairman (in consultation with the clerk) must give a ruling the answer is “No”, the Council has no power to act as proposed and the business ought not to be under discussion. (see [Part II Standing Orders point 14.15](#) below.)

11.1.2 A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

11.2 Procedural Resolutions

11.2.1 Procedural resolutions should normally be put without discussion. The usual exceptions are resolutions to (a) correct minutes, (b) alter the order of business, (c) refer to committee.

11.3 Closure Motions

11.3.1 The following are the respective effects of closure resolutions: -

- a) On the passing of a resolution to proceed to *next business* proceedings on the business in hand come to a stop and no decision upon it can be taken.
- b) On the passing of a resolution that the *question be now put* the mover is usually entitled to reply before the matter is put to the vote. By custom the chairman may refuse to accept such a resolution until he thinks that the matter has been sufficiently debated.
- c) A resolution to *adjourn a discussion or a meeting* stops the discussion at the moment it is passed and no decision is taken on the business; therefore, the discussion may later be resumed at the point where it was interrupted.

11.4 Amendments

- a) An amendment, which in substance negates the principle resolution, should not be allowed because it is confusing and unnecessary.
- b) An amendment should always be put to the vote before the resolution that it seeks to amend. (see also [Part I Chairmanship point 5.3.2](#) above.)

11.5 Any Other Business

11.5.1 The summons to a meeting of a Local Council must by law *specify* the business to be transacted; a Local Council cannot legally decide to take any action under the general heading of “any other business” because these words do not specify any item of business. The rule prevents the Council deciding any business which will have either expenditure consequences or lead the Council into a legal situation: for example, by making a contract. There is no practical objection to exchanges of

information under “A.O.B.” or the giving of a preliminary notification of important business for next time.

11.6 “Urgent” Business

11.6.1 The law makes no provision for dealing with “urgent” business. If it is “urgent” only because it was not notified in time to appear on the agenda, it should be left till the next meeting. If it is genuinely “urgent”, that is it was too late for the agenda *and* it will be too late for action if left till the next ordinary meeting an additional meeting should be called *or* the Council should have a regular arrangement for the reference of such matters either to a committee or to the clerk for action. It is contrary to local government law for the Chairman or any other single member to take a decision binding the Council.

12. Use of Chairman’s Votes

12.1 Except on one occasion* the Chairman has both an ordinary and a casting vote. There is no rule of law which requires him to give his ordinary vote at the same time as the other members are voting, and it is obviously undesirable and undignified for him to wait and then say “the voting is 5 to 4 against; I therefore vote in favour which makes it even.”

*The person presiding may vote for himself, unless, in either case, he is a retiring chairman who is about to cease to be a member of the council, in which case he has only a casting vote. ([Local Government Act 1972, ss.15 \(2\) and \(3\)](#))

12.2 Where there is an equality of votes a Chairman must give a casting vote if required after he/she has already made their vote.

13. Presence of the Public and Press

13.1 In principle, the public (which includes the press) is entitled to be present at all meetings of the Council and its committees, and ought to be admitted to sub-committees. The Council or a committee, however, may exclude the public for a particular item of business by resolution, if it is opinion that such exclusion is reasonable and in the public interest. Where the public and Press have been excluded the *decisions* made in the closed session must be minuted: a record should be kept of who was present at the session: the Press should be told of any decision. Business is ‘confidential’ if its discussion *must* be kept secret: it is ‘special’ and the reasons for secrecy must be stated in any case where the need for secrecy is not obvious.

14. Maladministration

14.1 Parish and Community Councils are not subject to the jurisdiction of the Local Ombudsman. There is, therefore, no outside body that can adjudicate on complaints about the procedures of a Local Council if the law has not been broken. It is,

however, important for the good name of the Council that complaints be handled properly and fairly.

15. Public Participation

- 15.1 The public cannot, of course, take part in the proceedings of the Council, but an increasing number of Councils have created and sustained public interest in their work by arranging for a short period in meetings (say 20 to 30 minutes) when members of the public are permitted to put questions to the Council or to make observations. Such periods can be either during the meeting (by adjournment) or at its end.

16. Length of Meetings

- 16.1 Experience suggests that a meeting should never be allowed to continue for more than two hours without a break. Some organisations embody this idea in a Standing Order. This has not been done here, but councillors may well find it advantageous to establish a custom.

Part II - Standing Orders

Preamble

These Standing Orders are subject to current legislation, regulations and orders and are to be read and interpreted with reference to the accompanying document "Chairmanship and Procedures" which shall form part of these Standing Orders.

Should the Council see fit to establish any Committees, it may to that end draw up Terms of Reference and Standing Orders for those committees, which shall also be read and interpreted with reference to the document "Chairmanship and Procedures".

1. Meetings

- 1.1 Meetings of the Council and of any committees and sub-committees it may establish, shall be held in each year on such dates and times and at such place as the Council may direct.
- 1.2 **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- 1.3 Meetings of the Council shall normally be held at 5, Church Street, Aylesbury HP20 2QP at 19:00 hours, unless the Council decides otherwise at a previous meeting, and be terminated no later than 21:00 hours.
- 1.4 Special meetings, called by the Town Clerk or Councillors, may be held at different venues if required. **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- 1.5 Smoking is not permitted at any meeting of the Council.

2. The Statutory Annual Meeting

- 2.1 **In an election year the Annual Town Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and**
- 2.2 **In a year which is not an election year the Annual Town Council Meeting shall be held on such day in May as the Council may direct.**
- 2.3 **In addition to the Statutory Annual Town Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**

3. Chairman of the Meeting

- 3.1 The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.**
- 3.2 The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.**

4. Proper Officer

- 4.1 Where a statute, regulation or order confers function or duties on the Proper Officer of the Council in the following cases, he shall be the Clerk or nominated officer:**
- a) To receive declarations of acceptance of office.**
 - b) To receive and record notices disclosing interests at meetings.**
 - c) To receive and retain plans and documents.**
 - d) To sign notices or other documents on behalf of the Council.**
 - e) To receive and retain copies of bylaws made by another local authority.**
 - f) To certify copies of bylaws made by the Council.**
 - g) At least three clear days before a meeting of the council, a committee or subcommittee sign and issue the summons to attend meetings.**
 - h) To keep proper records for all Council meetings.**
 - i) Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.**
 - j) Facilitate inspection of the minute book by local government electors.**
 - k) Provide, in a conspicuous place, public notice of the time, place and agenda of a Council, committee or subcommittee meeting.**

5. Quorum of the Council

- 5.1 Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**
- 5.2 If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.**
- 5.3 For a quorum relating to a committee or sub-committee, please refer to [Part II Standing Orders point 28.3](#).**

6. Minutes

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

- a) The time and place of the meeting
- b) The names of councillors who are present and the names of councillors who have given apologies.
- c) Interests that have been declared by councillors and non-councillors with voting rights.
- d) The grant of dispensations (if any) to councillors and non-councillors with voting rights.
- e) Whether a councillor or non-councillor with voting rights left the meeting when matters that they held interest in were being considered.
- f) If there was a public participation session; and
- g) The resolutions made

7. Apologies for Absence

- 7.1 Members who are unable to attend an official meeting are requested to tender their apologies, and give the reason, for absence to the Town Clerk, Deputy Town Clerk or other person clerking the meeting at the latest by 5pm on the day of the meeting.
- 7.2 Another Member of the Council, who is present at the meeting, can give the apology on behalf of the absent Member but must give assurance that the absent Member asked them to do this and the reason for the apology must be stated, as regulations dictate.

8. Voting

- 8.1 Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 8.2 **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- 8.3 **(1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
(2) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

9. Order of Business

9.1 At each Annual Town Council Meeting the first business shall be:

- h) To elect a Chairman of the Council
- i) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
- j) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- k) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- l) To elect a Vice-Chairman of the Council.
- m) To appoint representatives to outside bodies.
- n) To appoint committees and sub-committees.
- o) To inspect any deeds and trust investments in the custody of the Council as required
- p) To set out a schedule of meetings for the year; and shall thereafter follow the order set out in [Part II Standing Orders point 9.4](#)

9.2 At every meeting other than the Annual Town Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.

9.3 In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. [Part II Standing Orders point 21](#) must be read in conjunction with this requirement.

9.4 After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

- a) To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
- b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- c) To deal with business expressly required by statute to be done.
- d) To dispose of business, if any, remaining from the last meeting.
- e) To receive such communications as the person presiding may wish to lay before the Council.
- f) To answer questions from Councillors.
- g) To receive and consider reports and minutes of committees.
- h) To receive and consider reports from officers of the Council.

- i) To receive and consider resolutions or recommendations in the order in which they have been notified.
- j) To authorise the sealing of documents.
- k) If necessary, to authorise the signing of orders for payment.
- l) To consider any other business specified in the agenda.

10. Urgent Business

10.1 A motion to vary the order of business on the ground of urgency:

- a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
- b) Shall be put to the vote without discussion.

11. Resolutions Moved On Notice

11.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Council.

11.2 The Clerk 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 member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.

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

11.4 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 he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

11.5 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, or which affects its area.

12. Resolutions Moved Without Notice

12.1 Resolutions dealing with the following matters may be moved without notice:

- a) To appoint a Chairman of the meeting.
- b) To correct the Minutes.
- c) To approve the Minutes.
- d) To alter the order of business.

- e) To proceed to the next business.
- f) To close or adjourn the debate.
- g) To refer a matter to a committee.
- h) To appoint a committee or any members thereof.
- i) To adopt a report.
- j) To authorise the sealing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public. (see [Part II Standing Orders point 38](#) below)
- o) To silence or eject from the meeting a member named for misconduct. (see [Part II Standing Orders point 16](#) below)
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order. (see [Part II Standing Orders point 44](#) below)
- r) To adjourn the meeting.

13. Questions

- 13.1 A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council.
- 13.2 A member, with or without notice, may ask the chairman of a Committee any question upon the proceedings of the Committee then before the Council, if the question is put before the Council's consideration of those proceedings is finished.
- 13.3 Every question shall be put and answered without discussion.
- 13.4 A person to whom a question has been put may decline to answer.

14. Rules of Debate

- 14.1 No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 14.2 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 reduced to writing and handed to him before it is further discussed or put to the meeting.
- 14.3 A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- 14.4 A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.

- 14.5 No speech shall exceed 5 minutes except by consent of the Council.
- 14.6 An amendment shall be either:
- a) To leave out words.
 - b) To leave out words and insert others
 - c) To insert or add words.
- 14.7 An amendment shall not have the effect of negating the resolution before the Council.
- 14.8 If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- 14.9 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 14.10 The mover of a resolution or of an amendment shall have a right of reply, not exceeding 3 minutes.
- 14.11 A member, 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.
- 14.12 A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- 14.13 A motion or amendment may be withdrawn by the proposer only with the consent of the seconder and the meeting, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- 14.14 When a resolution is under debate no other resolution shall be moved except the following: -
- a) To amend the resolution.
 - b) To proceed to the next business.
 - c) To adjourn the debate.
 - d) That the question be now put.
 - e) That a member named be not further heard.
 - f) That a member named leave the meeting.
 - g) That the resolution be referred to a committee.
 - h) To exclude the public and press.
 - i) To adjourn the meeting.
- 14.15 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

- 14.16 Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- 14.17 Whenever the Chairman speaks during a debate all other members shall be silent.

15. Closure

- 15.1 At the end of any speech a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such motion is seconded, the Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

16. Disorderly Conduct

- 16.1 **All members must observe the Code of Conduct adopted by Aylesbury Town Council.**
- 16.2 No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or behave in **such a manner as to bring the Council into disrepute.**
- 16.3 If, in the opinion of the Chairman, a member has broken the provisions of [point 16.2](#) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forth with and without discussion. **If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach.**
- 16.4 If either of the motions mentioned in [point 16.3](#) above is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

17. Right of Reply

- 17.1 The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

18. Alteration of Resolution

- 18.1 A member may, with the consent of his seconder, move amendments to his own resolution.

19. Rescission of Previous Resolution

- 19.1 A decision (whether affirmative or negative) of the Council shall not be reversed within six months except if further information has been received that could have altered the decision of the council at the time. The Clerk to decide whether or not the matter should be brought to the Council for further discussion and to be put on the agenda.

20. Voting On Appointments

- 20.1 Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

21. Discussions and Resolutions Affecting Employees of the Council

- 21.1 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. Advice should be sought from the Clerk in these matters. (see [Part II Standing Orders point 38.4](#))

22. Resolutions on Expenditure

- 22.1 Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee) and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance Committee shall report on the financial aspect of the matters).

23. Expenditure

- 23.1 Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

24. Sealing of Documents

- 24.1 The Council's Common seal shall alone be used for sealing documents. It shall be applied by the Proper Officer.

25. Committees and Sub Committees

- 25.1 The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

- a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- b) **May appoint persons other than members of the Council to any Committee, unless it is a committee which regulates and controls the finances of the Council; and**
- c) May subject to the provisions of [Standing Order point 20.1](#) above at any time dissolve or alter the membership of committee.
- d) Any persons appointed under b) above shall not have voting rights.
- e) To safeguard a quorum and to ensure an adequate spread of representation, the following Scheme of Substitution shall apply:

Any Member, for the time being, of the Council's Standing Committees or Sub-committees may be substituted (in respect of one or more meetings of the Committee or Sub-committee) in accordance with the following provisions:

- i. Any Member can be called to be a substitute for any other Member of a Committee, Sub-Committee or Working Group.
- ii. Substitution shall be permitted when a councillor is ill, or away on business or holiday; but shall not be used habitually in order to change the make-up of a Committee or Sub-committee.
- iii. Members sitting ex officio shall not, by reason of their status, be allowed substitutes.
- iv. Each councillor shall be responsible for arranging their own substitute's attendance.
- v. Any councillor arranging a substitution shall inform the Town Clerk or Deputy Clerk of the meeting of the arrangement before the start of the meeting in question preferably by email copied into the Member for whom the person is substituting so as to ensure this has been agreed by the Committee, Sub-Committee or Working Group Member.
- vi. The absent Member should still send apologies and state the reason for absence to the Town Clerk or Deputy Clerk of the Council.

- vii. A record shall be kept in the Minutes of the Meeting of any substitutions made in accordance with this Standing Order; and the record shall, as such, be open to inspection by the public.
- viii. The following Committees shall be the Standing Committees of the Council and shall consist of the maximum number of Members respectively set out opposite such Committee:

Grants	7 Members
Planning & Licensing	9 Members
Policy Committee	13 Members
Finance	7 Members
Direct Services Committee	9 Members
Communities Committee	9 Members

25.2 The Chairman and Vice-Chairman, ex-officio, shall be voting members of every committee.

26. Additional Meetings of the Council

26.1 Councillors can be summoned by the Town Clerk to attend additional meetings for the Council in addition to the agreed schedule of meetings.

27. Extraordinary meetings of the Council, Committee and Sub-committees

27.1 The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

27.2 If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by town councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.

27.3 The chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.

27.4 If the chairman of a committee or a sub-committee does not convene an extraordinary meeting within seven days of having been requested to do so by two members of the committee or the subcommittee, any two members of the committee or sub-committee may convene an extraordinary meeting of the committee or sub-committee.

28. Sub-Committees

28.1 Every committee may appoint sub-committees for purposes to be specified by the committee.

28.2 The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

- 28.3 Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be 3.
- 28.4 The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

29. Advisory Committees and Working Parties

- 29.1 The Council may create advisory committees or working parties, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- 29.2 The Clerk shall inform the members of each advisory committee and working party of the terms of reference of the committee/working party.
- 29.3 An advisory committee or working party may make recommendations and give notice thereof to the Council.
- 29.4 The membership of an advisory committee or working party must include at least 1 Member of the Council.

30. Voting in Committees

- 30.1 Members of committees and sub-committees entitled to vote shall vote by show of hands or, if at least two members so request, by signed ballot.
- 30.2 **Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

31. Presence of Non-Members of Committees at Committee Meetings

- 31.1 A Member of the Council who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

32. Accounts and Financial Statement

- 32.1 Except as provided in [point 32.2](#) below of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- 32.2 Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Proper Officer, for payment with the approval of the Chairman or Vice-Chairman of the Council.
- 32.3 All payments ratified under [point 32.2](#) of this Standing Order shall be separately included in the next schedule of payments before the Council.

32.4 The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of June. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

33. Estimates/Precepts

33.1 The council shall approve written estimates for the coming financial year at its meeting before the end of the month of January.

33.2 Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than 30 September.

34. Interests (England)

34.1 **If a member has an interest as defined by the Code of Conduct adopted by the Town Council and regulations relating to Declarations of Pecuniary Interest and all other interests then the member shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**

34.2 **The Clerk may be required to compile and hold a register of members' interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**

34.3 If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, [Standing Orders points 34.1](#) and [34.2](#) shall apply as appropriate.

34.4 The Clerk shall make known the purpose of [Standing Order point 34.3](#) to every candidate.

34.5 Members, with regard to the council's business as stated on the agenda, shall make declarations of interest at all meetings, committees, sub-committees and working groups of the Council regardless of whether or not they have already made such declarations to the Monitoring Officer under the regulations concerning Declarations of Pecuniary Interest.

35. Canvassing of and Recommendations By Members

35.1 Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such

appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.

- 35.2 A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

[Standing Orders points 34.3](#) and [35](#). shall apply to tenders as if the person making the tender were a candidate for an appointment.

36. Inspection of Documents

- 36.1 A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

- 36.2 **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

37. Unauthorised Activities

- 37.1 No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:

- a) Inspect any lands or premises which the Council has a right or duty to inspect;
- or
- b) Issue orders, instructions or directions

unless authorised to do so by the Council or the relevant committee or sub-committee.

38. Admission of The Public and Press to Meetings

- 38.1 The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolution:

That under [Section 1 of the Public Bodies \(Admission to Meetings\) Act 1960](#) the public and press be excluded during the items in Part II of the agenda for this meeting, because it is likely that publicity would prejudice the public interest by reason of the confidential nature of the business or for other special reasons stated in the resolution, arising from the nature of the business or proceedings.

- 38.2 At all meetings of the Council, the Chairman may with the approval of the Council, and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business to be transacted. Such

sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council shall apply to members of the council in respect of the entire meeting. Where, however, members of the council exercise their rights pursuant [Standing Order point 38.3](#) below, members of the public **shall** be allowed to attend the meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted.

- 38.3 At all meetings of the Council, the Chairman may permit members of the council (including co-opted members as defined by [s.49 \(7\) Local Government Act 2000](#)) who have a prejudicial interest in relation to any item of business to be transacted at that meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted.
- 38.4 **The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. Audio or video recording and photographs of the meeting are permissible in line with nationally agreed guidelines.**
- 38.5 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

39. Confidential Business

- 39.1 No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Clerk, Deputy Clerk or Chairman of the Council, the committee or the sub-committee as the case may be.
- 39.2 Any member in breach of the provisions of [point 39.1 of this Standing Order](#) shall be removed from any committee or sub-committee of the Council by the Council.

40. Liaison with Councillors of the Principal Authority

- 40.1 A summons and agenda for each meeting shall be sent to the Buckinghamshire Councillors for the appropriate division or ward.

41. Planning Applications

- 41.1 The Clerk shall arrange, as soon as it is received, the recording for the purpose the following particulars of every planning application notified to the Council:
- a) the date on which it was received
 - b) the name of the applicant
 - c) the place to which it relates
- 41.2 The Clerk shall refer every planning application to the Council or the Planning and Licensing Committee-

42. Financial Matters

42.1 The Council shall appoint a Responsible Financial Officer (RFO).

42.2 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

42.2.1 Such Regulations shall include detailed arrangements for the following:

- a) the accounting records and systems of internal control;
- b) the assessment and management of risks faced by the Council;
- c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
- d) the financial reporting requirements of members and local electors
- e) procurement policies (subject to [point 42.2.2](#) below) including the setting of values for different procedures where the contract has an estimated value less than £65,000.

42.2.2 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £65,000 shall be procured on the basis of a formal tender as summarised in [point 42.2.3](#) below.

42.2.3 Any formal tender process shall comprise the following steps:

- a) a public notice of intention to place a contract to be placed in a local newspaper and any other manner that is appropriate.
- b) a specification of the goods, materials, services and the execution of works shall be drawn up;
- c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
- d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
- e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

Neither the Council, nor any Committee, is bound to accept the lowest tender, estimate or quotation. Any tender notice shall contain a reference to the [Standing Orders points 34.4, 35.2 and 36](#). regarding improper activity.

42.2.4 A public contract regulated by the Public Contract Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant threshold referred to in standing order [42.2.5](#) is subject to the “light touch” arrangements under [Regulations 109-114 of the Public Contracts Regulations 2015](#) unless it proposed to use an existing list of approved suppliers (framework agreement).

42.2.5 Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the [Public Contracts Regulations 2015](#) or the [Utilities Contracts Regulations 2016](#) apply to the contract and, if either of those Regulations apply, the

Council must comply with procurement rules. NALC's procurement guidance contains further details.

42.2.6 The Town Clerk (Deputy Town Clerk in the Town Clerk's absence) shall be delegated to spend within the relevant specified budget allocation, in discussion with the Chairman of the relevant Committee (if required) such value in order to ensure necessary work is managed / carried out to ensure such continuity as the Town Clerk (Deputy Town Clerk in the Town Clerk's absence) deems necessary.

42.2.7 The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

43. Code of Conduct on Complaints

43.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Monitoring Officer for consideration.

44. Variation, Revocation and Suspension of Standing Orders

44.1 Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

44.2 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

45. Standing Orders to be Given to Members

45.1 A copy of these Standing Orders shall be given to each member by the Town Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

Part III - Financial Regulations

1. General

- 1.1 These Financial Regulations shall govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council. The Financial Regulations shall form part of the Council's Standing Orders and therefore the same rules and regulations apply to the regulations that apply to the Standing Orders.
- 1.2 Councillors are expected to follow these regulations and not to entice employees to breach them. Failure to follow these regulations brings the office of councillor into disrepute.
- 1.3 Wilful break of these regulations by an employee may result in disciplinary proceedings.
- 1.4 In these Financial Regulations:
 - 'Accounts and Audit Regulations' means the regulations issued under Sections 32, 43(2) and 46 of the Local Audit and Accountability Act 2014, or any superseding legislation, and then in force, unless otherwise specified.
 - "Approved" refers to an online action, allowing an electronic transaction to take place.
 - "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.
 - 'Proper practices' means those set out in the practitioner's guide
 - 'Practitioners' guide' refers to the guide issued by the joint panel on Accountability and Governance (JPAG) and published by NALC in England or Governance and Accountability for local councils in Wales - A Practitioners guide jointly published by 1 voice Wales and the society of local council clerks in Wales.
 - 'Must' and **bold text** refer to statutory obligation the council cannot change.
 - 'Shall' refers to a non-statutory instruction by the council to its members and staff.
- 1.5 The Responsible Financial Officer (RFO), holds a statutory office, appointed by the council. The Clerk has been appointed as RFO and these regulations apply accordingly. The RFO;
 - 'acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and control systems;
 - ensures the accounting control systems are observed;

- ensures the accounting records are kept up to date;
- seeks economy, efficiency and effectiveness in the use of the council resources; and
- produces financial management as required by the council.

1.6 The Council must not delegate any decisions regarding:

- **setting the final budget or the precept (council tax requirements);**
- **the outcome of a review of the effectiveness of its internal controls**
- **approving accounting statements;**
- **approving an annual governance statement;**
- **borrowing**
- **declaring eligibility for the General Power of Competence; and**
- **addressing recommendations from the internal and external auditors**

1.7 In additions, the council shall:

- Determine and regularly review the bank mandate for all council bank accounts;
- Authorise any grant or single commitment in excess of £5,000; and ?

2. Budget and precept

2.1 Before setting a precept, the council must calculate its council tax requirement for each financial year by preparing and approving a budget, in accordance with The Local Government Finance Act 1992 or succeeding legislation.

2.2 Each committee shall formulate and submit proposals to the Council in respect of revenue services and capital projects for inclusion in the rolling capital programme not later than the end of September each year, or if this is not possible, as soon thereafter as practicable.

2.3 A detailed draft budget of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared each year by the RFO.

2.4 The Finance Committee shall review the draft budget and proposed precept and recommend them to the Council for approval, in good time for the information required by Buckinghamshire Council to be transmitted to them by the date they request for the setting of the precept, but in any case not later than the end of January in each year, and shall recommend the precept to be levied for the ensuing financial year. The RFO shall supply each Member with a copy of the agreed annual budget.

2.5 The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

2.6 Any member with council tax unpaid for more than two months is prohibited from voting on the budget or precept by section 106 of the Local Government Finance Act 1992 and must disclose at the start of the meeting that Section 106 applies to them.

3. Budgetary Control

3.1 Expenditure on the revenue account may be incurred up to the amounts included in each approved Committee's budget.

3.2 No expenditure may be incurred which cannot be met from the amount provided in the appropriate Committee revenue budget unless a virement has been approved by the Council.

3.3 The RFO shall periodically provide the Council with a statement of income and expenditure to date under each head of the approved annual revenue and capital budgets.

3.4 The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of 1% of the precept. The Clerk shall report the action to the Council as soon as practicable thereafter.

3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless specifically agreed by the Council.

3.6 No expenditure shall be incurred in relation to any capital projects and no contract entered into or tender accepted involving expenditure on capital account unless the Council is satisfied that the necessary capital funds are available, or the requisite borrowing approval has been obtained.

3.7 All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

4. Accounting and Audit

4.1 All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

4.2 The accounting records determined by the RFO must be sufficient to explain the council's transactions and to disclose its financial position with reasonable accuracy at any time. In particular, they must contain:

- day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;
- a record of the assets and liabilities of the council;

4.3 The accounting records shall be designed to facilitate the efficient preparation of the accounting statements in the Annual (Governance and Accountability) Return.

- 4.4 The RFO shall complete and certify the annual Accounting Statements of the council contained in the Annual Governance and Accountability Return in accordance with proper practices, as soon as practicable after the end of the financial year. Having certified the Accounting Statements, the RFO shall submit them (with any related documents) to the council, within the timescales required by the Accounts and Audit Regulations.
- 4.5 **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control systems in accordance with proper practices.**
- 4.6 **Any officer or member of the council must make available such documents and records as the internal or external auditor consider necessary for the purpose of audit** and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary.
- 4.7 The internal auditor shall be appointed by the council and shall carry out their work to evaluate the effectiveness of the council's risk management, control and governance processes in accordance with proper practices specified in the Practitioners' Guide.
- 4.8 The Council shall ensure that the internal auditor:
- Is competent and independent of the financial operation of the council
 - Reports to the council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;
 - Can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - Has no involvement in the management or control of the council.
- 4.9 Internal or external auditors may not under any circumstance:
- Perform any operational duties for the council;
 - Initiate or approve accounting transactions;
 - Provide financial, legal or other advice including in relation to any future transactions; or
 - Direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 4.10 For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as described in the Practitioners' Guide.
- 4.11 The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts, including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and documents required by the Local Audit and Accountability Act 2014, or any superseding legislation, and the Accounts and Audit Regulations.

4.12 The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

5. Banking Arrangements and Cheques

5.1 The Council's banking arrangements shall be made by the RFO and approved by the Council.

5.2 The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud and error. Wherever possible, more than one person should be involved in any payment, for example for dual online authorisation or dual cheque signing. Even where a purchase has been authorised, the payment must also be authorised and only authorised payments shall be approved or signed to allow the funds to leave the council's bank.

5.3 A Schedule of the payment of money required shall be prepared by the RFO and together with the relevant invoices, etc. presented to the Council. If the Schedule is in order, it shall be authorised by a resolution of the Council and signed by the Chairman or Vice-Chairman.

5.4 Cheques drawn on the bank account in accordance with the Schedule referred to in the previous paragraph shall be signed by any two of the six authorised persons who will constitute four elected members of the Council as well as the Town Clerk/RFO and Deputy Town Clerk. This arrangement is also applicable for signing Direct Debit mandates.

5.5 To indicate agreement between the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the Clerk shall initial the documentation.

5.6 Six named senior officers are authorised to use corporate charge cards for the purchase of goods and services for the Town Council and will pass receipts to the RFO. The corporate charge cards have a monthly spending limit.

5.7 Any corporate charge card or trade card account opened by the council will be specifically restricted to use by the Town Clerk/RFO and named senior officers and any balance shall be paid in full each month.

6. Payment of Accounts

6.1 All payments shall be affected by bank transfer, bulk payment, BACS, cheque or other order drawn on the Council's bankers.

6.2 All invoices for payment shall be examined, verified and certified by the Clerk. Before certifying an invoice, the Clerk shall satisfy him/ or herself that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.

6.3 The RFO shall examine invoices in relation to arithmetic accuracy and authorisation and shall code them to the appropriate expenditure head. All duly certified invoices will then be entered on the schedule. The Clerk shall take all steps to settle all invoices submitted, and which are in order, at the next available Council Meeting

6.4

- a) The RFO shall maintain a petty cash float to a limit of £300 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
- b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.
- c) Payments to maintain the petty cash float shall be shown separately on the Schedule of the payment of money presented to the Council ([under 5.2 above](#)).
- d) If a payment is necessary to avoid a charge of interest under the [Late Payment of Commercial Debts \(Interest\) Act 1998](#), and the due date for payment is before the next scheduled Meeting of the Council, where the Clerk and RFO certify that there is no reason to delay payment the Clerk may, notwithstanding [point 6.3 above](#), take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of the Council.

6.5 No employee shall disclose any PIN or password, relevant to the council or its banking, to anyone not authorised in writing by the council or a duly delegated committee.

6.6 With the approval of the council in each, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pensions contributions and HMRC payments) may be made by variable direct debit.

6.7 Account details for suppliers may only be changed upon written notification by the supplier verified by the Clerk and Finance Officers. This is a potential area for fraud and the individuals involved should ensure that any change is genuine. Data held should be checked with suppliers every two years.

6.8 Officers shall ensure that any computer used for the council's financial business has adequate security, with anti-virus, anti-spyware and firewall software installed and regularly updated.

7. Payment of Salaries and Wages

7.1 **As an employer, the council must make arrangements to comply with the statutory requirements of PAYE legislation.**

7.2 **Councillors' allowances are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

7.3 The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by the Council.

7.4 Payment of salaries and payments of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on appropriate date provided that each payment is reported to and ratified by the next available Council meeting.

8. Loans and Investments

- 8.1 All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.
- 8.2 The Council's Investment Policy shall be in accordance with the [Trustee Act 2000](#), and shall be reviewed on a regular basis, and at least annually.
- 8.3 All investments of money under the control of the Council shall be in the name of the Council.
- 8.4 All borrowings shall be effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose.
- 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO

9. Income

- 9.1 The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.
- 9.2 The Council will review all fees and charges annually, following a report of the Clerk.
- 9.3 Any bad debts shall be reported to the Council by the RFO and consideration shall be given for the debt to be written off in the year. The council's approval shall be shown in the accounting records.
- 9.4 All sums received on behalf of the Council shall either be paid to the RFO for banking or be banked by the Officer collecting the money as directed by the RFO. In all cases all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.
- 9.5 The origin of each receipt shall be entered on the paying-in slip.
- 9.6 Every transfer of official money from one member of staff to another shall be signed for by the receiving Officer.
- 9.7 Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with the [Value Added Tax Act 1994 section 33](#) shall be made at least annually coinciding with the financial year end.
- 9.9 Where any significant sums of cash are regularly received by the Council, the RFO is to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues and that appropriate care is taken in the security and safety of individuals in banking such cash.

10. Orders for work, goods and services

- 10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate, e.g., petty cash purposes. Copies of orders shall be retained.
- 10.2 Order books shall be controlled by the RFO.
- 10.3 All members and Officers are responsible for obtaining value for money at all times. An Officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotes from appropriate suppliers, subject to any de minimis provisions in [Regulation 10.1](#) below
- 10.4 The RFO shall verify the lawful nature of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. Procurement and Contracts

- 11.1 **Members and officers are responsible for obtaining value for money at all times.** Any officer procuring goods, services or works should ensure, as far as practicable, that the
- 11.2 **For a contract for the supply of goods, services or works where the estimated value will exceed the threshold set by Parliament, the full requirements of The Public Contracts Regulations 2015 or any superseding legislation (“the Legislation”), must be followed in respect of the tendering, award and notification of that contract.**
- 11.3 Procedures as to the contracts are laid down in the Council’s Standing Orders as follows:
- a) Every contract shall comply with these Standing Orders. No exception shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (v) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services
 - ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or part for existing machine or equipment or plant for work to be executed or goods or materials supplied which constitute an extension of an existing contract by the Council.
 - iv. for additional work of the external Auditor up to an estimated value of £250. (In excess of this the Clerk and RFO shall act after Consultation with the Town Mayor and Leader of the Council)
 - v. for goods or materials proposed to be purchased which are proprietary articles and all which are sold only at a fixed price.

- b) Where it is intended to enter into a contract:
- i. exceeding £65,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk shall invite tenders from at least three firms, such firms to be taken from the appropriate approved list.
 - ii. When applications are made to waive financial regulations relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in a recommendation to the council or relevant committee. Avoidance of competition is not a valid reason.
- c) Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk and the last date by which such tenders should reach the Clerk in the ordinary course of post. For tenders in excess of £65,000 each tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- d) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk or the properly authorised deputy in the presence of at least one Member of the Council.
- e) If less than three tenders are received for contracts valued above £65,000 or if all the tenders are identical, the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- f) Any invitation to tender, for contracts in excess of £65,000, issued under this standing Order shall contain a statement of the effect of [Standing Order numbers 42.2.2 - 42.2.5](#) and shall refer to the [Bribery Act 2010](#).
- g) When it is to enter into a contract of less than £65,000 in value for the supply of goods or materials, works or specialist services other than those excepted in paragraph (a) the Clerk or RFO shall obtain 3 quotations; where the value is below £1,000 the Clerk or RFO shall strive to obtain 3 estimates. Best value is to be the guiding principle in all transactions. The Council shall not be obliged to accept the lowest or any tender, quote or estimate.
- 11.4 For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation¹ regarding the advertising of contract opportunities and the publication of notices about the award of contracts.
- 11.5 Contracts must not be split into smaller lots to avoid compliance with these rules.
- 11.6 No individual member, or informal group of members may issue an official order or make any contract on behalf of the council.

¹ The Regulations require councils to use the Contracts Finder website if they advertise contract opportunities and also to publicise the award of contracts over £30,000 including VAT, regardless of whether they were advertised.

- 11.7 No expenditure may be authorised that will exceed the budget for that type of expenditure other than by resolution of the council or a duly delegated committee acting within its Terms of Reference except in an emergency.
- 11.8 In case of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £5,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is a budget for such expenditure. The Clerk shall report such action to the Town Mayor and Leader of the Council as soon as possible and to the council as soon as practicable thereafter.
- 11.9 No expenditure shall be authorised, no contract entered into or tender accepted in relation to any major project, unless the council is satisfied that the necessary funds are available and that where a loan is required, Government borrowing approval has been obtained first.

12. Payments Under Contracts for Building or Other Construction Works

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contracts.
- 12.2 Where contracts provided for payment by instalments the RFO shall maintain a record of all such payments. In any case when it is estimated that the total cost of work carried out under a contract, excluding fluctuation clauses, will exceed the contract sum by 5% or more a report shall be submitted to the Council.
- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the Clerk in writing, the Council being informed where the final cost is likely to exceed the financial provision.

13. Stores and Equipment

- 13.1 The Officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2 Delivery notes must be obtained in respect of all goods received into store and goods must be checked as regard quality at the time delivery is made.
- 13.3 Stocks shall generally be maintained at the minimum levels consistent with operational requirements.
- 13.4 The RFO shall be responsible for an annual check of all stocks and stores.

14. Assets, Properties and Estates

- 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry certificates of properties owned/held by the Council. The RFO shall ensure a record is maintained of all properties owned/held by the Council, recording the location, extent, plan, reference, purchase details, nature of the interest,

tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

14.2 No property shall be sold, leased or otherwise disposed of without the authority of the Council, save where the estimated value of any one item does not exceed £400.

14.3 No interest in land shall be purchased or otherwise acquired, sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a written report shall be provided to the council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate where required by law).

No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, except where the estimated value of any one item does not exceed £500.

15. Insurance

15.1 Following an annual risk assessment, the Clerk and/or RFO shall effect all insurances and negotiate all claims on the Council's insurers.

15.2 The Clerk shall give prompt notification to the Council of all new risks, properties or vehicles that require to be insured and of any alterations affecting existing insurances.

15.3 The Clerk/RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.

15.4 The Clerk/RFO shall be notified of any loss, liability or damage or of any event likely to lead to a claim and shall report these to the Council at the next available meeting.

15.5 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance scheme.

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

16. Risk Management

16.1 The council must ensure that it has a sound system of internal control, which delivers effective financial, operations and risk management.

16.2 The Clerk (RFO) shall prepare for approval by the Finance and Policy committee, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the Finance and Policy committee at least annually.

- 16.3 When considering any new activity, the Clerk (RFO) shall prepare a draft risk assessment including risk management proposals for consideration by the council.
- 16.4 **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**
- 16.5 The accounting control systems determined by the RFO must include measures to:
- ensure that risk is appropriately managed;
 - ensure the prompt, accurate recording of financial transactions;
 - prevent and detect inaccuracy or fraud; and
 - allow the reconstitution of any lost records;
 - identify the duties of officers dealing with transactions and
 - ensure division of responsibilities.
- 16.6 Regular back-up copies shall be made of the records on any council computer and stored either online or in a separate location from the computer. The Council shall put measures in place to ensure that the ability to access any council computer is not lost if an employee leaves or is incapacitated for any reason.

17. Suspension and Revision of Financial Regulations

- 17.1 It shall be the duty of the Council to review the Financial Regulations of the Council annually and following any change of clerk or RFO. The Clerk shall monitor changes in legislation or proper practices and advise the council of any need to amend these Financial Regulations.
- 17.2 The council, may by resolution duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations, provided that reasons for the suspensions are recorded and that an assessment of the risks arising has been presented to all members. Suspension does not disapply any legislation or permit the council to act unlawfully.
- 17.3 The council may temporarily amend these Financial Regulations by a duly notified resolution, to cope with periods of absence, local government reorganisation, national restrictions or other exceptional circumstances.

18. Duties of the Responsible Finance Officer (RFO)

- a) To prepare financial reports for the Speakers for Finance and Policy and for the Council.
- b) To prepare draft estimates. When approved by Council these will form the annual budget monitoring during the year. To report thereon to the relevant Committees at least quarterly.
- c) To submit the precept to Buckinghamshire Council and supply any breakdown requested.
- d) To bank regularly all monies received and expended by the Council.

- e) To ensure that all money due to the Council is billed and collected promptly.
- f) To manage cash flow and bank transfers.
- g) To control payments by cheque.
- h) To ensure the overall management of payroll, including the local government pension scheme is undertaken satisfactorily.
- i) To take overall responsibility for submission of VAT returns and to deal with VAT inspections.
- j) To verify and code (i.e., allocate to expenditure heads) suppliers' invoices prior to certification for payment.
- k) To prepare and balance final accounts in accordance with the Regulations and report thereon to the Speakers for Finance and Policy, and the Council.
- l) To produce accounts and records for external audit in accordance with the Regulations.
- m) To arrange for internal audit material of all aspects of the Council's financial affairs in accordance with [Regulation 5 of The Accounts and Audit Regulations 1996](#).
- n) To monitor compliance with the Council's Financial Regulations and to ensure correct financial systems are in place.
- o) To manage insurance risks. To process claims as necessary. To report annually to the Council on insurance risk covered.
- p) To maintain the Council's register of property and assets ([Regulation 4\(3\) \(b\) of The Accounts and Audit Regulations 1996](#)).

The Standing Orders, Chairmanship and Financial Regulations were received, reviewed and adopted by Aylesbury Town Council on

Date: _____

Signed: _____

Town Mayor (Chairman of the Council)

Date: _____

Signed: _____

Town Clerk

Date: _____