



Bradwell Parish Council

Norfolk

Standing Orders

Approval and Revision Table

Review / Amendment Date	Section / Clause amended	Date of Council Adoption
March 2021	Complete document revision based on NALC model Standing Orders 2021 update.	4 th May 2021
Feb 2022	Revision following Council decision to change from Committees to Working Groups	28 th February 2022



Introduction

These standing Order are based on the model standing orders 2021 update from National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC) and reference new legislation introduced after 2013 when the last model standing orders were published.

How to use model standing orders

Standing orders are the written rules of the Bradwell Parish Council. Standing orders are essential to regulate the proceedings of Council meetings. These standing orders are not the same as the policies of the council but standing orders refer to them when applicable.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for standing orders to document all obligations under data protection legislation. The statutory requirements to which the council is subject apply whether or not they are incorporated in a council’s standing orders.

These standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of the council. The financial regulations, as opposed to the standing orders of the council, include most of the requirements relevant to the council’s Responsible Financial Officer. The financial regulations are available to Councillors from the Council Clerk.

Notes

The standing orders that are in bold type contain legal and statutory requirements. These have been adopted without changing them or their meaning. Those standing orders not in bold are designed to help the council operate effectively but they do not contain statutory requirements but have been adopted and where applicable amended to suit a council’s needs.

For convenience, the word “councillor” is used in the standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

Where the term Chairman is used this can be considered gender neutral and when addressing the position the expression Mr or Madam Chairman is considered acceptable.

A standing order that includes brackets like this ‘()’ contains information that has been inserted by the council. A standing order that includes brackets like this ‘[]’ and the term ‘OR’ provides alternative options for the council to choose from when determining which standing order is applicable.



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1. Rules of debate at meetings

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



- p. During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q. A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r. When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s. Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t. Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the chairman of the meeting.

2. Disorderly conduct at meetings

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.



3. Meetings generally

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a. **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b. **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c. **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice** OR [The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].
- d. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f. The period of time designated for public participation at a meeting in accordance with standing order 3(e) will depend on the nature of the issues raised, the time allowed shall be at the discretion of the Chairman of the Meeting.
- g. Subject to standing order 3(f), a member of the public shall not speak for more than five minutes.
- h. In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i. A person shall rise their hand when requesting to speak and remain seated when speaking unless asked to stand by the chairman.
- j. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.



- l. Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- m. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- n. The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- o. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- p. 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.
- q. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- r. The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

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

- s. Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- t. The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;



- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.
- u. **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- v. **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w. **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- x. A meeting shall not exceed a period of 1½ hours, however on the agreement of the majority of members this can be extended by 30 minutes.

4. Committees and sub-committees

- a. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d. The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;



- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

5. Ordinary council meetings

- a. **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b. **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e. **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f. **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g. **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i. **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j. **Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:**
 - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**



- ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
- iii. Receipt of the minutes of the last meeting of a committee;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xiii. Review of inventory of land and other assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. Extraordinary meetings of the council, committees and sub-committees

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c. The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d. If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within 14 days of having been requested to do so by a quarter of the members of the committee [or the sub-committee], any two members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

7. Previous resolutions

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee



or a sub-committee.

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

8. Voting on appointments

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

9. Motions for a meeting that require written notice to be given to the proper officer

- a. A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least seven clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g. Motions received shall be recorded and numbered in the order that they are received.
- h. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. Motions at a meeting that do not require written notice

- a. The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;



- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. Management of information

See also standing order 20.

- a. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c. **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d. **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. Draft minutes

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes



shall be moved in accordance with standing order 10(a)(i).

- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e. **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f. Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations

See also standing order 3(u).

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b. Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c. Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e. A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the Council, or committee or sub-committee for which the dispensation is required] and that decision is final.



- f. A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g. Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].
- h. **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. Code of conduct complaints

- a. Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b. Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c. The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d. **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**



15. Proper officer

- a. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Proper Officer shall:
 - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;
 - ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming his withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. hold acceptance of office forms from councillors;
 - vii. hold a copy of every councillor's register of interests;
 - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
 - x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xi. assist in the authorisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
 - xii. arrange for legal deeds to be executed;
(see also standing order 23);
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
 - xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
 - xv. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman (if there is one) of the Council] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;
 - xvi. manage access to information about the Council via the publication scheme; and
 - xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).



16. Responsible financial officer

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

17. Accounts and accounting statements

- a. "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b. All payments by the Council shall be summarising, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. Financial controls and procurement

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are



exempt from a tendering process or procurement exercise.

- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**



19. Handling staff matters

- a. A matter personal to a member of staff that is being considered by a meeting of the Staffing and Standards Committee is subject to standing order 11.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Staffing and Standards Committee or, if he is not available, the vice-chairman (if there is one) of Staffing and Standards Committee of absence occasioned by illness or other reason and that person shall report such absence to Staffing and Standards Committee at its next meeting.
- c. The chairman of the Staffing and Standards Committee or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of [the member of staff's job title]. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Staffing and Standards Committee.
- d. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Staffing and Standards Committee or in his absence, the vice-chairman of the Staffing and Standards Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing and Standards Committee.
- e. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by [the member of staff's job title] relates to the chairman or vice-chairman of the Staffing and Standards Committee, this shall be communicated to another member of the Staffing and Standards Committee, which shall be reported back and progressed by resolution of the Staffing and Standards Committee.
- f. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g. In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. Responsibilities to provide information

See also standing order 21.

- a. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. *[If gross annual income or expenditure (whichever is higher) does not exceed £25,000]* **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

OR

[If gross annual income or expenditure (whichever is the higher) exceeds £200,000] **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**



21. Responsibilities under data protection legislation

Below is not an exclusive list. See also standing order 11.

- a. The Council may appoint a Data Protection Officer.
- b. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d. **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e. **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f. **The Council shall maintain a written record of its processing activities.**

22. Relations with the press/media

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

23. Execution and sealing of legal deeds

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

- a. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b. **[Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**

The above is applicable to a Council with a common seal.

OR

[Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

The above is applicable to a Council without a common seal.

24. Communicating with district and county or unitary councillors

- a. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.
- b. Unless the Council determines otherwise, a copy of each letter sent to the District and County Council OR Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.



25. Restrictions on councillor activities

- a. Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

26. Standing orders generally

- a. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 9.
- c. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.
- e. The council has a duty to promote equality. It has a regard to the need to:-
 - i. eliminate unlawful discrimination;
 - ii. promote equality of opportunity;
 - iii. promote good relations between people of different groups.
- f. In accordance with the provisions of the Health Act 2009, all council buildings shall be designated 'Smoke Free'. Smoking is prohibited in all enclosed and substantially enclosed areas of the buildings. This policy applies to all employees, members, contractors, visitors and organisations which lease or hire the buildings.

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The Model Standing Orders 2018 for England were revised in 2020.



2. Standing Committee’s Terms of Reference

2.1 Staffing and Standards Committee 23

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2.3 Allotments Advisory Committee 27



2.1 Staffing and Standards Committee

1. Objective

To provide effective and professional staff management of employees of the Parish Council, and undertake any standards complaints made against a councillor

2. Membership

The committee shall comprise at least three and of not more than six members of the Council, to be elected at the Annual Parish Council Meeting.

3. Chairman /Vice Chairman

To be elected annually at the Annual Parish Council meeting.

4. Quorum

The quorum of the committee shall be three Parish Council members.

5. In Attendance

The Proper Officer must attend any meeting.

6. Meetings

- a. The Proper officer will 'call' the meeting and summon members to attend in accordance with standing orders.
- b. Public Notices of the meeting shall be given in accordance with the Council's Standing Orders.
- c. The committee shall meet at least twice a year.

7. Public participation

Meetings are not normally open to the public on the grounds that the agendas normally concern the conduct and terms of service of employees, and confidential standards complaints for councillors.

8. Minutes

- a. Minutes of all meetings will be recorded by the Proper Officer (or delegated) and circulated to all members of the committee and to all Full Council members after approval by the Committee or after approval by the Chairman/Vice Chairman of the Committee.
- b. All resolutions and recommendations made to Full Council shall be recorded in the minutes of the appropriate meeting.

9. Accountability and Scope

The Chair of the Staffing Committee is responsible for performing the annual staff appraisals and is the first point of contact for senior officers on staffing and employment policy issues. The Staffing and Standards Committee has delegated powers to act on behalf of the Council in relation to the defined terms of reference only; any recommendations outside the Staffing and Standards Committee's terms of reference shall be made to Full Council.

10. Delegated powers

- a. To monitor and performance manage employees.
- b. At least annually to conduct a staff appraisal/annual review with the employees. The appraisal is to be undertaken by two members of the committee.
- c. To consider and implement any changes which are required to comply with Employment Law and Terms and Conditions of Service.
- d. To establish a programme of training for Councillors and employees such as will encourage professional advancement and make recommendations for expenditure to support these goals.
- e. To review job descriptions, person specifications and all contracts of employment.
- f. To monitor absences and approve holiday and other leave requests for the Clerk.



- g. To manage long term sickness and incidents at work in line with the council's agreed policies.
- h. To oversee the termination arrangements for the Council's staff.
- i. To review employment policies/procedures for recommendation to Full Council for approval.
- j. To be responsible for the preparation and submission of budget proposals in respect of salaries and employees' training to full council (no later than 30th October each year).
- k. To review employees' pay awards and increments.
- l. To review staff pension arrangements.
- m. To oversee any disciplinary investigation in line with the council's disciplinary procedures which includes appointing an investigator and deciding if any disciplinary action against the employee will or will not be taken.
- n. To oversee an employee's formal grievance(s) in line with the council's grievance procedures
- o. To ensure that confidentiality is maintained over all staffing matters under the GDPR and the Code of Conduct by all members of the council.
- p. To oversee recruitment and selection of new employees on behalf of the council (with the Clerk where appropriate) including job description, person specification, advertising, shortlisting, interviewing, reference checking, making recommendation to full Council and defining the induction process.
- q. To oversee any disciplinary investigation in line with the council's disciplinary procedures and deciding if any disciplinary action against a councillor will or will not be taken.

11. Dispute Resolution

- a. To oversee 'informal' dispute resolution arrangements and the appointment of a trained mediator if required for mediation, conciliation or arbitration.
- b. To appoint a Hearing Panel upon any formal grievance issue raised by staff, or a member of the public, under this Council's Grievance Procedure.
- c. To appoint a Hearing Panel upon appropriate disciplinary cases as set out by the Council's Disciplinary Procedure, making recommendation to Council if sanctions are to be imposed.
- d. To convene Appeals Committee where required.

The Committee has no powers to alter or temporarily suspend these Terms of Reference. The Staffing Committee's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



2.2 Appeals Committee

1. Objective

To hear and determine appeals made by a member of staff against decisions made by the Staffing and Standards Committee from determinations and decisions of the Authority where there is a statutory requirement for there to be an appeal to Members of the Council or where such appeal is allowed for in any policy or procedure approved by the Council.

2. Membership

The committee shall comprise at least three and of not more than six members of the Council, to be elected at the Annual Parish Council Meeting. Members of the Staffing and Standards Committee are not eligible to be appointed to the Appeals Committee.

3. Chairman /Vice Chairman

To be elected at the first Appeals Committee of each year.

4. Quorum

The quorum of the committee shall be three Parish Council members.

5. In Attendance

The Proper Officer must attend any meeting.

6. Meetings

- a. The Proper officer will 'call' the meeting and summon members to attend in accordance with standing orders.
- b. Public Notices of the meeting shall be given in accordance with the Council's Standing Orders.
- c. The committee shall meet as and when required.

7. Public participation

Meetings are not normally open to the public on the grounds that the agendas normally concern the conduct and terms of service of employees.

8. Minutes

- a. Minutes of all meetings will be recorded by the Proper Officer (or delegated) and circulated to all members of the committee and to all Full Council members after approval by the Committee or after approval by the Chairman/Vice Chairman of the Committee.
- b. All resolutions and recommendations made to Full Council shall be recorded in the minutes of the appropriate meeting.

9. Accountability and Scope

On hearing an appeal the committee shall be empowered, on behalf and in the name of the Council, to make such an order as it considers appropriate, within the range of decisions permissible at law.

The Committee, when sitting to hear an appeal, shall not include any staff or Members of any Committee principally concerned with the service by which the decision or determination has been made, or Members who have been concerned in any previous consideration of the matter, which has given rise to or from which the appeal arises.

At each sitting of the Committee to hear an appeal, the Committee shall, firstly, ensure that the appeal has been properly made and, secondly, that the appellant has been afforded the opportunity of being represented at the hearing of his/her appeal by such friend, lawyer or other representative as he/she may choose.



In hearing an appeal the Committee shall conform to the rules of natural justice.

All Members of the Committee will be required to undertake relevant training to enable them to properly discharge their duties.

10. Delegated Powers

- a. Appeals against decisions made by the Staffing Committee in grievance, disciplinary and capability matters.
- b. Dealing with appeals to a final conclusion, only reporting to Council the actions it has taken at the end of the process.
- c. The Committee may refer specific matters to the Council for a final decision if it so wishes.

The Committee has no powers to alter or temporarily suspend these Terms of Reference. The Appeal Committee's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting

11. Dispute Resolution

Dealing with appeals to a final conclusion.



2.3 Allotments Advisory Committee

1. Objective

To advise and make recommendations to the Parish Council on any matters affecting the management of the allotments sites. To work with the Allotment Tenants to provide a well managed and cost effective service to allotment users.

2. Membership

The committee shall comprise of a maximum of six allotment holders (three holding tenancies at the Beccles Road site, three holding tenancies at the Cley Road site) and one parish councillor who shall be nominated by the council. Members shall be nominated at the annual meeting of the Allotment Holders and appointed to take office at the next Parish Council meeting.

3. Chairman /Vice Chairman

To be elected at each meeting of the Allotment Advisory Committee.

4. Quorum

The quorum of the committee shall one allotment holder from each site, totaling two members.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

- a. The Proper officer will 'call' the meeting.
- b. Public Notices of the meeting are not applicable.
- c. The committee shall meet at least twice a year.

7. Public participation:

N/A.

8. Minutes

- a. Minutes of all meetings will be recorded by the Proper Officer (or delegated) and circulated to all members of the committee and to all Full Council members.
- b. All resolutions and recommendations made to Full Council shall be recorded in the minutes of the appropriate meeting.

9. Accountability and Scope

The Allotments Advisory Committee may make recommendations to the Council regarding rents and any improvement works to be considered.

10. Delegated powers

None. The Committee has no powers to alter or temporarily suspend these Terms of Reference. The Allotment Committee's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.

11. Dispute Resolution

N/A



3. Working Groups Terms of Reference

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Working Groups have no legal powers to make a decision on behalf of the Council. The function of a Working Group is to make recommendations to Full Council.

Full Council may form or disband a Working Party who will carry out tasks as defined by Full Council. Specific Terms of Reference, including if necessary delegated powers, will be prepared by the Clerk for ratification at the next Full Council Meeting following the Working Party being established.



3.1 Finance Working Group

1. Objective

To review and manage the Council's financial affairs in accordance with legislative requirements, regulations and guidelines.

2. Scope

- a. To review the year end accounts: comprising of end of year balance sheets trial balance; Income & Expenditure Account and other supporting documentation produced by the Clerk. To make appropriate recommendations for approval at Full Council.
- b. To prepare and submit the Council's annual precept for approval to the Full Council Meeting.
- c. To review annually and update the Financial Regulations, ensuring they are observed and make appropriate recommendations to Full Council.
- d. To consider forward planning and provide earmarked reserves for the replacement of equipment, vehicles, buildings and specific items of expenditure required in the future in order to lessen the precept burden in any one year.

3. Membership

The working group may comprise of elected members of the Parish Council and other experts or members of the public. Council membership shall comprise at least three and up to a maximum of six members of the Council.

4. Lead Member

To be decided by the Parish Council Chairman.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

One meeting to be held in October to set budget / precept recommendations and one meeting to be held in April to review the end of year accounts. Recommendations made will be submitted to the next Full Council meeting.

7. Minutes

Informal minutes will be taken at the meeting and distributed to Working Group members.

8. Delegated Powers

None. The Working Group has no powers to alter or temporarily suspend these Terms of Reference. The Finance Working Group's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



3.2 Bradwellian Working Group

1. Objective

To manage and review the creation of The Bradwellian magazine twice a year.

2. Scope

- a. To engage a Bradwellian Editor.
- b. To support the Editor in the production of the publication by whatever means necessary in line with budgetary requirements.
- c. To ensure the newsletter contents meets the requirements of the Council and the community it serves.
- d. To liaise with the Clerk to instruct the raising of relevant sales invoices in relation to advertising
- e. To ensure the newsletter does not contain anything that could be construed slanderous, inciting hatred, political or racist in content.
- f. To comply with data protection and GDPR regulations.
- g. To review the editorial, distribution and printing costs annually and to recommend changes to the Full Council for consideration in the budget process.
- h. To create a draft Bradwellian for approval at Full Council – revising if required.
- i. To arrange packing and distribution of Bradwellians for delivery team.

3. Membership

The working group may comprise of elected members of the Parish Council and other experts or members of the public. Council membership shall comprise of up to a maximum of four members of the Council.

4. Lead Member

To be decided by the Parish Council Chairman.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

The working group will call meetings as and when required.

7. Minutes

Informal minutes will be taken at the meeting and distributed to Working Group members.

8. Delegated Powers

None. The Working Group has no powers to alter or temporarily suspend these Terms of Reference. The Bradwellian Working Group's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



3.3 Events Working Group

1. Objective

To work together with interested parties and stake holders and to manage events and activities that engage with the public and are for the benefit of the parishioners of the community.

2. Scope

The Working Group has the overall responsibility for the management of the Council's events ensuring they run in accordance with legislative requirements, regulations and guidelines. These will include:

- a. To consider events for the community which will be facilitated, organised and run by the Parish Council on an annual basis for the benefit of all aspects / areas of community residents.
- b. To engage with community organisations in the running and organisation of events.
- c. To promote community events in Council publications / on website.
- d. To manage the Parish Council Events.
- e. To ensure protocols and guidelines from Councils insurance company are adhered to.
- f. To be innovative with events and put together an events programme.
- g. To ensure Councils events do not clash with other community groups.
- h. All financial spending to be agreed by Full Council.
- i. All events to be agreed by Full Council.

3. Membership

The working group may comprise of elected members of the Parish Council and other experts or members of the public. Council membership shall comprise of up to a maximum of eight members of the Council.

4. Lead Member

To be decided by the Parish Council Chairman.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

The working group will call meetings as and when required.

7. Minutes

Informal minutes will be taken at the meeting and distributed to Working Group members.

8. Delegated Powers

None. The Working Group has no powers to alter or temporarily suspend these Terms of Reference. The Events Working Group's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



3.4 Properties and Assets Working Group

1. Objective

To assist the Parish Council in its maintenance of its properties and assets.

2. Scope

- a. To advise the Full Council in the delivery, planning, preparation and implementation of an asset or 'project'.
- b. To deal with and advise Full Council of the various legal matters associated with the Project and obtain the necessary legal advice.
- c. To liaise with the Full Council in securing financial support and sponsorship for the development of an asset, or the progression of a project relating to an asset.
- d. Investigate the availability of grants from outside bodies.
- e. To prepare financial and other information relating to the cost of the asset or project, including issues associated with VAT, to be submitted to Full Council.
- f. Develop a project plan, and time schedule, for the organisation and implementation of the asset or project for Full Council approval.
- g. To liaise with the various consultants, and project management team, on specific matters as they pertain to the preparation and delivery of an asset, or in the progression of a project relating to an asset.
- h. Prepare tender documentation, invite tenders, analyse & evaluate the tenders received and making a recommendation to Full Council as to which tender should be accepted.
- i. To liaise with the successful contractor to ensure the asset or project is delivered on time and to budget.
- j. To ensure members comply with all legislative requirements, promoting transparency and good governance practices upon the Council.
- k. Review the state of repair of Parish Assets, and recommend a course of action to the Full Council
- l. Review any legal guidance issued by our insurers, and make sure that the Parish Council is compliant.
- m. Outline projects for the Full Council to consider.
- n. Organise and carry out any projects approved by the Full Council.
- o. Review any correspondence or reports from Inspectors and make recommendations to Full Council.
- p. To deal with any other matter that a meeting of the Parish Council considers appropriate to be referred to this Working Group.
- q. To review and propose to Full Council how the council can support minimising the impact to and improving the environment and biodiversity of the assets within the Council's control.

3. Membership

The working group may comprise of elected members of the Parish Council and other experts or members of the public. Council membership shall comprise of up to a maximum of six members of the Council.

4. Lead Member

To be decided by the Parish Council Chairman.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

The working group will meet every three weeks, or call meetings as and when required.

7. Minutes

Informal minutes will be taken at the meeting and distributed to Working Group members.



8. Delegated Powers

None. The Working Group has no powers to alter or temporarily suspend these Terms of Reference. The Properties and Assets Working Group's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



3.5 Policies and Procedures Working Group

1. Objective

To assist the Parish Council with policies and procedures, and wider policies the Council is required to adopt and regularly review.

2. Scope

Reviewing and preparing revisions of all Bradwell Parish Council Policies and Procedures for presentation and adoption by resolution of the Full Council.

3. Membership

The working group may comprise of elected members of the Parish Council and other experts or members of the public. Council membership shall comprise of up to a maximum of six members of the Council.

4. Lead Member

To be decided by the Parish Council Chairman.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

The working group will call meetings as and when required.

7. Minutes

Informal minutes will be taken at the meeting and distributed to Working Group members.

8. Delegated Powers

None. The Working Group has no powers to alter or temporarily suspend these Terms of Reference. The Policies and Procedures Working Group's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



3.6 Health and Safety Working Group

1. Objective

To assist the Parish Council with Health and Safety procedures and regulations.

2. Scope

- a. To undertake, and/or arrange for others to undertake, regular Health and Safety checks on all amenity sites, buildings and structures owned by the Parish Council. To check that all such sites, buildings and structures are utilised and managed in a way that complies with current legislation and advice. To report to Full Council.
- b. To oversee the 'internal control' arrangements relating to the Council's work as necessary, including responsibility for the Council's Internal Controls Plan, insurance and risk management arrangements. To report to Full Council.

3. Membership

The working group may comprise of elected members of the Parish Council and other experts or members of the public. Council membership shall comprise of up to a maximum of six members of the Council.

4. Lead Member

To be decided by the Parish Council Chairman.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

The working group will meet annually in December and call meetings as and when required.

7. Minutes

Informal minutes will be taken at the meeting and distributed to Working Group members.

8. Delegated Powers

None. The Working Group has no powers to alter or temporarily suspend these Terms of Reference. The Health and Safety Working Group's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



3.7 Planning Working Group

1. Objective

To assist the Parish Council with making recommendations for Planning consultations.

2. Scope

- a. To receive consultations relating to all planning applications and tree preservation orders concerning proposed developments within the Bradwell area and to make recommendations to full Parish Council concerning them as appropriate.
- b. To receive and review consultations in respect of wider planning issues such as Borough Wide Local Plan planning policies;; Local Development Framework; East of England strategic plans; Norfolk County Council local plans (relating to waste disposal, mineral extractions and transport); similar future policy statement in respect of other local agencies (e.g. health authorities); other 'planning' matters dealt with locally, such as planning enforcement, 'Section 106' agreements, public open space provision, street naming/numbering, future provision of flood sirens, street lighting and street furniture policy, gypsy and traveler site provision and to make recommendations to full Parish Council concerning them as appropriate.
- c. To receive updates on national and local planning policy, and new legislation. To make recommendations to full Parish Council.
- d. Invite Borough Council Head of Planning & Development to attend from time to time to provide updates on Borough Council planning policy, and for questions to be raised regarding decisions recently made.

3. Membership

The working group may comprise of elected members of the Parish Council and other experts or members of the public. Council membership shall comprise of up to a maximum of six members of the Council.

4. Lead Member

To be decided by the Parish Council Chairman.

5. In Attendance

The Proper Officer may be requested to attend any meeting.

6. Meetings

The working group will meet as and when required.

7. Minutes

Informal minutes will be taken at the meeting and distributed to Working Group members.

8. Delegated Powers

None. The Working Group has no powers to alter or temporarily suspend these Terms of Reference. The Planning Working Group's Terms of Reference are to be reviewed annually at the Annual Parish Council Meeting.



4. List-of-Powers-and-Duties

FUNCTION	POWERS AND DUTIES	STATUTORY PROVISIONS
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied and if reasonable to do so	Small Holding & Allotments Act 1908, s.23
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs	Local Government Act 2003, Schedule 1, para.2
Baths (Public)	Power to provide public swimming baths	Public Health act 1936, s.221
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to Provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, ss.9 and 10 Local Government Act 1972, s.214 Parish councils & Burial Authorities (Miscellaneous Provisions) Act 1970, s.1 Local Government Act 1972, s.214 (6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s.4
Byelaws	Power to make byelaws for: ☑ Places of public recreation ☑ Cycle parks ☑ Public swimming baths ☑ Open spaces and burial grounds ☑ Mortuaries and post-mortem rooms	☑ Public Health Act 1875, s.164 ☑ Road Traffic Regulations Act 1984, s.57 (7) ☑ Public Health Act 1936, s.223 ☑ Open Spaces Act 1906, s.15 ☑ Public Health Act 1936, s.198
Charities	Duties in respect of parochial charities Power to act as charity trustees	Charities Act 2011, ss. 298-303 Local Government Act 1972, s.139 (1)
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to Inclosure, regulation, management and provision of common pasture	Inclosure Act 1845; Small Holdings and Allotments Act 1908, s.34
Community centres	Power to provide & equip buildings for use of clubs having athletic, social or educational objectives Power to acquire, provide and furnish community buildings for public meetings and assemblies	Local Government (Miscellaneous Provisions) Act 1976 s.19 Local Government Act 1972, s.133
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Crime prevention	Power to spend money on crime detection & prevention measures	Local Government and Rating Act 1997, s.31
Ditches & Ponds	Power to drain & maintain ponds & ditches to prevent harm to public health	Public Health Act 1936, s.260
Entertainment & arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Environment	Power to issue fixed penalty notices for litter, graffiti & offences under dog control orders	Clean Neighbourhoods and Environment Act 2005, s.19, s.30, Part 6
General Power of Competence	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations including those in place before or after introduction of general power of competence	Localism Act 2011, ss.1-8
Gifts	Power to accept gifts	Local Government Act 1972, s.139



Highways	Power to repair and maintain public footpaths and bridleways Power to light roads and public places Power to provide parking places for vehicles, bicycles and motor-cycles Power to enter into agreement as to dedication and widening Power to provide roadside seats and shelters Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway Power to complain to district council as to protection of rights of way and roadside wastes Power to provide certain traffic signs and other notices Power to plant trees etc. and to maintain roadside verges	Highways Act 1980, sections. 43,50 Parish councils Act 1957, s.3; Highways Act 1980, s.301 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Honorary titles	Power to admit to be honorary freemen/freewomen of council's area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area	Local Government Act 1972, s.249 (5), s.249 (9)
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local Government Act 1972, s.139
Litter	Provision of bins	Litter Act 1983, ss.5,6
Lotteries	Powers to promote	Gambling Act 2005, s.252, 258
Markets	Power to establish or acquire by agreement markets within their area & provide a market place & market buildings	Food Act 1984, s.50
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198
Neighbourhood Planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order	Localism Act 2011, Sch. 9; Town & Country Planning Act 1990, ss.61E - 61Q, Sch. 4B; Planning and Compulsory Purchase Act 2004, s.38A
Newsletters	Power to provide information relating to matters affecting local government	Local Government Act 1972, s.142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire & maintain land for public recreation Power to acquire and maintain land for open spaces	Public Health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish Property and documents	Powers to receive and retain Duty to deposit certain published works in specific deposit libraries	Local Government Act 1972, s.226 Legal Deposit Libraries Act 2003, s.1
Public buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to provide a wide range of recreational facilities Provision of boating pools	Local Government (Miscellaneous Provisions) Act 1976, s.19 Public Health Act 1961, s.54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority	Localism Act 2011, ss.81-86
Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale	Localism Act 2011, ss.87-108
Town and County Planning	Right to be notified of planning applications if right has been requested	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to encourage tourism to the councils area	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, ss.26-29

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War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water Supply	Power to utilise wells, springs or streams for obtaining water	Public Health Act 1936, s.125
Websites	Power for councils to have their own websites	Local Government Act 1972, s.142



5. Document Retention Schedule

Decisions shall be made concerning retention or destruction of documents as per the following schedule, which outlines three categories:-

A. Records to be preserved permanently

Records in this category when no longer regularly consulted in the parish should be deposited in the appropriate record office.

B. Records to be reviewed by the County Archivist for possible permanent preservation

Records in this category should be passed to the County Archivist for review, either when the prescribed minimum retention period is over, or when they are no longer required in the parish for administrative purposes.

C. Records which may be destroyed by the Parish Clerk

A large number of parish records, mainly financial, may be safely disposed of by the Parish Clerk, usually after a minimum retention period prescribed for audit or other statutory purposes. Where no minimum retention period is given, records in this category may be destroyed when they are no longer required in the parish for administrative purposes.

	Record	Action	Minimum Retention Period	Reason
	Administration			
1	Minutes of council meeting, (signed series)	A	Indefinite	Archive after not more than five years
2	Reports/other documents	B (but if copies are circulated with agendas included with signed minutes C)		
3	Agendas	C (but if minutes do not survive A)		Confidential Waste
4	Councillors declarations of office	C (but if minutes do not survive A)		Confidential Waste
5	Nomination forms for Parish Council elections	C (but if minutes do not survive A)		Confidential Waste
6	Byelaws and orders	A (one copy of each)	Indefinite	Audit/Management
7	Title deeds	A	Indefinite	Audit/Management
8	Property registers and terriers, including allotment register /plans	A	Indefinite	Audit/ management
9	Maps, plans and surveys of property owned by the council	A	Indefinite	Management/Archives
10	Leases, agreements, contracts, wayleaves	A`	Indefinite	Audit/management



11	Quotations and tenders for major works	B	12 years/indefinite	Statute of limitations Confidential Waste
12	Quotations and tenders for minor works	B	12 years	Statute of limitations Confidential Waste
13	Unsuccessful tenders	C	3 years	Archives, Confidential Waste
14	Correspondence and papers on important local issues/activities	A	Indefinite	Archives
15	Correspondence	C	See finance	Audit, Confidential Waste
16	Routine correspondence / papers	C	Retain as long as useful / relevant	Confidential Waste
17	Planning applications and related papers for major / controversial developments; planning appeal decisions	A	10 Years after completion	
18	Planning applications and related papers for minor works	C	4 years	
19	Structure plans, local plans etc.	C	As long as in force	
20	Scales of fees and charges	C	5 years	Management, Confidential Waste
21	Accident/Incident Reports	C	20 years	Potential claims, Confidential Waste. A list of documents disposed of to be maintained to meet GDPR.
22	Health & Safety Inspection Reports	C	5 years	Confidential Waste
23	Insurance policies	C	Retain while valid	Management, Confidential Waste
24	Certificate of insurance against Liability employee/public	C	40 years from date on which insurance commenced or renewed	Management, Employees Liability and Public Liability. Confidential Waste
(N.B. Certificate of employers' liability insurances must be retained for a minimum of forty years, or other time period advised by the council's insurer.)				
	Finance			
1	Receipt and payment books	A	Indefinite	Archives
2	Vouchers before 1950	B	Indefinite	Archives
3	Investments	A	Indefinite	Audit/Management
4	Financial returns to District Auditors	C (but if accounts do not survive A)		Audit, Confidential Waste



5	Cash and petty cash books	C but if accounts do not survive B)		Tax, VAT, statute of limitations, Confidential Waste
6	Receipt books of all kinds	C	6 years	VAT, Confidential Waste
7	Postage and telephone books	C	6 years	Tax, VAT, statute of limitations, Confidential Waste
8	Bank statements, including deposit/saving	C	Last completed audit year	Audit, Confidential Waste
9	Bank paying-in books and cheque book stubs	C	Last completed audit year	Audit, Confidential Waste
10	Paid invoices	C	6 years	VAT, Confidential Waste
11	Paid cheques	C	6 years	Statute of Limitations, Confidential Waste
12	Staff Timesheets	C	3 years	Audit/Personal Injury, Confidential Waste
13	VAT records	C	6 years	VAT, Confidential Waste
14	Salaries/wages records	C	12 years	Superann. Confidential Waste
15	Members allowances register	C	6 years	Tax, statute of limitations, Confidential Waste
16	Records relating of lettings, diaries, bills to hirers etc.	C	6 years	VAT, Confidential Waste
	Miscellaneous			
1	Maps created under the provisions of the Rights of Way Act 1992	A	Indefinite	Archives
2	Community magazines / newsletters	C one copy of each issue)	5 years	
3	Local Council Review	A	Indefinite	
4	Photographs	A	Indefinite	
5	Any records from before 1894	A		
6	Records of other bodies (e.g. charities)	A (but ephemeral records B/C)		
7	Reports, guides, handbooks etc. Received from other bodies	B/C Retain as long as useful		
N.B. Any requirement imposed by statute upon a local authority to keep a documents is satisfied by keeping a photographic copy, except that where colour is relevant to the interpretation of the document. For example, in a plan, a photograph will suffice only if it distinguishes between the colours so as to enable the document to be interpreted				