2026

MELKSHAM
TOWN COUNCIL

Council Annual Meeting Agenda

Monday 11 May 2026

Town Hall,
Market Place,
Melksham,
Wiltshire
SN12 6ES

01225 704187
towncouncil@melksham-tc.gov.uk
www.melksham-tc.gov.uk

MELKSHAM TOWN COUNCIL

Town Hall,
Market Place,
Melksham,
Wiltshire
SN12 6ES

CEO Miss Hayley Bell, Assoc CIPD, CertHE, FSLCC

01225 704187
towncouncil@melksham-tc.gov.uk

Tuesday 5 May 2026

Dear Councillors S Rabey (Town Mayor), J Westbrook (Deputy Town Mayor), P Alford, P Aves, E Calland, R Cleary, J Crossley, M Drewett, G Elson, A Griffin, J Oatley, T Price, C Stokes, A Westbrook, A Whitlock.

You are summoned in accordance with the Local Government Act (LGA) 1972, Sch 12, paras 10 (2)(b) to the Annual Meeting of Melksham Town Council for the transaction of the business shown on the agenda below. Monday 11 May **2026,** to be held at 19.00 in the Council Chamber, Melksham Town Hall, Market Place, Melksham, SN12 7ES.

The quorum for Full Council is 8.

Public Participation.

Members of the public and the press may attend this meeting in person or join the meeting on teams via the following link https://tinyurl.com/e65scuuj. Public participation will take place near the start of the meeting.

Each speaker is limited to three minutes, with a total public session of 20 minutes. Members of the public are requested to send their question to CEO@melksham-tc.gov.uk by noon on the working day before the meeting. You should still attend the meeting, in person or online, to ask your question.

No decisions will be made on matters not already on the agenda. The Council may ask the public and press to leave if confidential matters need to be discussed.

The Seven Principles of Public Life.

All members are reminded of their duty under the code of conduct to uphold the Seven Principles of Public Life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

Yours sincerely,

Miss Hayley Bell – CEO

Full Council Terms of Reference

1. **Membership**: All 15 elected members of the Town Council.

The following matters shall be reserved for decision by Full Council, but the appropriate Committee(s) may make recommendation for the Council's consideration:

1.1 The Precept demand
1.2 Borrowing money
1.3 Making, amending or revoking Standing Orders, Financial Regulations, Duties and Powers of Proper Officer provisions
1.4 Making, amending or revoking by-laws
1.5 Making of Orders under Statutory Powers
1.6 Matters of principle or policy
1.7 Addressing recommendations in any report from the Internal and External Auditors
1.8 Nomination of members of all proper and sub committees
1.9 New powers or duties
1.10 Prosecution or defence in a Court of Law
1.11 Nomination or appointment of representatives of the Council to any enquiry on matters affecting the town
1.12 To receive and adopt the Annual Accounts
1.13 To receive and sign off the Annual Internal & External Audit and Return
1.14 To receive reports referred to the Town Council from the various Committees/Sub-Committees
1.15 To set up Working Groups as necessary
1.16 To receive reports and consider recommendations from Working Groups set up by Full Council
1.17 To appoint representatives on outside bodies or joint bodies
1.18 To confirm the appointment of the Town Mayor/Deputy Mayor
1.19 To confirm the schedule of meetings of the Town Council/Committees and Sub-Committees for the ensuing year
1.20 To receive petitions and deputations from members of the public or any organisations
1.21 Any other matters not delegated to a Committee or Sub-Committee or referred to the Council by Committees or Sub-Committees

Full Council - Annual Meeting

1. Election of Town Mayor

The Town Mayor will ask for nominations for the Office of Town Mayor for 2026/2027

The Town Mayor will put the nominations to the meeting. Members will vote and the Town Mayor will declare the result.

2. Declaration of Acceptance of Office

To receive the Declaration of Acceptance of Office by the newly elected Town Mayor, to be witnessed and signed by the Town Clerk.

3. Outgoing Mayor's Address

To receive the outgoing Town Mayor's address.

4. Newly Elected Mayor's Address

To receive the newly elected Town Mayor's address.

5. Election of Deputy Mayor

The newly elected Town Mayor will ask for nominations for the Office of Deputy Town Mayor for 2026/2027.

The Town Mayor will put the nominations to the meeting. Members will vote and the Town Mayor will declare the result.

6. Declaration of Acceptance of Office

To receive the Deputy Town Mayor's Declaration of Acceptance of Office, to be witnessed and signed by the Town Clerk.

7. Apologies

To receive apologies for absence

8. Declaration of Interest

To receive any Declarations of Interest in respect of items on this agenda as required by the Code of Conduct adopted by the Council.

Members are reminded that, in accordance with the Council's Code of Conduct, they are required to declare any disclosable pecuniary interest or other registrable interests which have not already been declared in the Council's Register of Interests. Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared on the Register, as well as any other registrable or other interests.

9. Public Participation

Members of the public are invited to attend the meeting and address the council.

Members of the public are requested to send their question to locum@melkshamtc.gov.uk by noon on the working day before the meeting. This will make it more likely that we will be able to answer your question on the night. You should still attend the meeting, in person or online, to ask your question.

10. Minutes

To approve the Minutes of the Full Council meeting held on 27 April 2026.

11. Civility & Respect Pledge

Members to reaffirm their commitment and to sign the Councillor's Statement of Assurance.

12. Signing of Deeds and Legal Documents

To appoint four members, including the Town Mayor and Deputy Town Mayor, for signing of legal documents and deeds.

13. Signatories

To appoint a pool of 10 signatories to act on behalf of the Council for Unity Bank, Cambridge Building Society and CCLA.

14. Standing Orders

Members are requested to approve the Standing Orders 2026.

15. Financial Regulations

Members are requested to approve the Financial Regulations 2026.

16. Investment Report

To receive the Town Council's Investment Report for the year ending 31st March 2026.

17. Terms of Reference

To approve Terms of Reference 2026.

18. Committees

To appoint members, chairs and vice chairs to committees.

18.1 Operations Committee

7 members. 2025/2026 membership

Councillor A Westbrook (Chair)
Councillor Oatley (Vice Chair)
Councillor Aves
Councillor Crossley
Councillor Griffin
Councillor J Westbrook
Councillor Whitlock

18.2 Community Committee

7 members. 2025/2026 membership

Councillor J Westbrook (Chair)
Councillor Cleary (Vice Chair)
Councillor Aves
Councillor Calland
Councillor Elson
Councillor Drewett
Councillor Rabey

18.3 Planning Committee

7 members. 2025/2026 membership

Councillor Rabey (Chair)
Councillor Cleary (Vice Chair)
Councillor Alford
Councillor Aves
Councillor Elson
Councillor Griffin
Councillor Stokes

18.4 Finance Committee

7 members. 2025/2026 membership

Councillor Cleary (Chair)
Councillor Aves
Councillor Calland
Councillor Crossley
Councillor Drewett
Councillor Griffin
Councillor A Westbrook

18.5 People Committee

5 members, to include Town Mayor and Deputy Town Mayor, and 2 reserves.
2025/2026 membership

Councillor Rabey (Town Mayor and Chair)
Councillor J Westbrook (Deputy Town Mayor and Vice Chair)
Councillor Elson
Councillor Oatley
Councillor Stokes

Reserves – Councillor Alford and Councillor Aves

19. Working Groups

To review Working Groups to ensure relevance and appoint membership.

Budget Working Group

No appointments. Budget meetings were open to all councillors.

Cemeteries Task & Finish Group (joint with Melksham Without)

2025/2026 membership

Councillor Alford
Councillor Griffin
Councillor Stoke

CCTV and Community Safety Working Group

2025/2026 membership

Councillor Aves
Councillor Cleary
Councillor Stokes

Community Allotment Task & Finish Group

Created by resolution of Amenities & Facilities 20 April 2026. Membership

Councillor Aves
Councillor A Westbrook
Councillor J Westbrook
Councillor A Whitlock

CIL Funding Projects Working Group (Joint with Melksham Without)

Melksham Without Parish Council have resolved to no longer hold a joint Cil fund.

2025/2026 membership

Councillor Alford
Councillor Crossley
Councillor A Westbrook

Streaming Task and Finish Group

Created by resolution 30 March 2026. Membership

Councillor Price
Councillor Rabey
Councillor Westbrook.

Shurnhold Fields Working Group (Joint with Melksham Without)

2025/2026 membership

Councillor Alford
Councillor Aves
Councillor Rabey

20. Outside Bodies

To confirm/appoint representatives on outside bodies. Current representatives are listed below.

N.B If a councillor has a conflict of interest between their opinion and Melksham Town Council policy, they should inform the Town Clerk and find a replacement to represent Melksham Town Council on the outside body. Alternatively, they should represent Melksham Town Council's views, adding their own view as a personal view or minority report.

Outside Body	Previous Representative	Required
2385 (Melksham) Air Training Corps	No representative*	Two
Area Board	Councillor J Westbrook	One
Friends of Melksham Hospital	No representative **	
LHFIG	Councillor Aves	One
Melksham Adventure Centre	No representative*	One
Melksham Alms Houses Charities	Councillor Rabey and Councillor A Westbrook	Two***

Melksham Carnival	Councillor Elson and Councillor J Westbrook	One (but two appointed 2025/2026)
Melksham Community Transport	No representative*	One
Melksham Health & Wellbeing Group	No representative****	One
Melksham Transport Users Group	Councillor Calland and Councillor Rabey	Two
Rachel Fowler Centre Management Committee	No representativet*	One
Riverside Club Management Committee	Councillor J Westbrook	One
Shurnhold Fields (Friends of)	No representative*	One
Wiltshire Association of Local Councils	Councillor Rabey	One
Wilts & Berks Canal Trust	Councillor Griffin	One
West Wiltshire – Elblag – Twinning Association	Councillor Aves	One

*At the Annual Meeting on 12th May 2025 appointments were made to Area Board and LHFIG. It was agreed that all other groups would be asked to provide details of what was expected and how often meetings took place. These organisations did not reply so no appointment was made.

** Friends of Melksham Hospital felt that a formal representative was not required. Councillor Elson was appointed as an informal first point of contact

***Constitution states that Melksham Town Council reps are nominated as Trustees for a 4-year period.

**** Added to list by request of Full Council meeting 16/2/26

Melksham Town Council

Minutes of the Full Council

on Monday 27 April 2026

PRESENT:	Councillor S Rabey	Town Mayor and Chair
	Councillor J Westbrook	Deputy Town Mayor and Vice Chair
	Councillor P Alford	
	Councillor P Aves	
	Councillor E Calland	
	Councillor R Cleary	
	Councillor A Griffin	
	Councillor J Oatley	
	Councillor T Price	
	Councillor C Stokes	
	Councillor A Westbrook	
	Councillor A Whitlock	

IN ATTENDANCE

OFFICERS	Hayley Bell	CEO/Town Clerk
	Ian Cunningham	Community Officer
	Dave Elms	Amenities Manager
	Amelie Huxtable	Placement Student
	Andrew Meacham	Committee Clerk
	Dominic Rutterford	Communications Officer

PUBLIC One member of the public was present and one member of the public was present virtually.

255/25 Apologies

Apologies were received from Councillor Crossley, Councillor Drewett and Councillor Elson

256/25 Declaration of Interest

There were no declarations of interest.

257/25 Minutes

The minutes of 30th March 2026, having been previously circulated, were approved as a correct record and signed by the Chair Councillor.

258/25 Public Participation

Resident 1 – Glad to see investment in the parks. What will the council do to stop Illegal activity in the parks?

Councillor Griffin entered the chamber.

Resident 2 – Grateful for the opportunity to have spoken to Community Development Committee and as part of consultation suggested more Legal Art Space. Councillor J Westbrook advised member that she and the Community Officer had an upcoming meeting with the resident and hoping to involve the Canberra Centre as well.

259/25 Play Areas

The Town Mayor Councillor expressed thanks to councillors who took part in Play Area tours and Amelie for her report.

Councillor A Westbrook spoke to the item.

It was proposed by Councillor A Westbrook, seconded by the Town Mayor Councillor Rabey and

UNANIMOUSLY RESOLVED to carry forward £53000 from 2025/2026 Play Area Budget of, to be added to the £100000 allocated in the 2026/2027 budget for play area refurbishment.

Councillor Alford entered the chamber.

Amelie Huxtable spoke to her report.

Some sites were removed from the discussion and members then voted for their 5 preferred sites.

There was discussion on:-

- sites that needed less work and could possibly be done in-house
- Leases and asset transfer
- Designating one site as a SEND site
- Grants that might be available.

It was felt that SEND equipment should be available in all play areas, so far as is practicable.

Councillor Alford left the meeting at 6:30.

Councillor Griffin left the meeting at 6:50.

It was proposed by Councillor A Westbrook, seconded by the Town Mayor Councillor Rabey and

UNANIMOUSLY RESOLVED to

- Make Dunch Lane and Riverside the top priority and go out to tender for the work
- Authorise fencing repairs to Speedwell Close, so long as the cost is under £10000. If above £10000 to be referred back to full council
- Authorise work by the Amenities Team on Hazelwood (not MUGA) up to £5000.
- Seek costing and ideas for all other play area.

DRAFT

260/25 Branding

The Communications Officer spoke to the item.

Members were generally positive on the proposed branding and felt that the proposed roll our as and when needed approach was appropriate.

Questions were asked and issues discussed. Members wanted written guidelines on the use of the Crest, Sheild and Heart.

It was proposed by the Deputy Town Mayor Councillor J Westbrook, seconded by Councillor Oatley and

UNANIMOUSLY RESOLVED to

- Approve the proposed shield as the new Melksham Town Council logo, to be used as "end of life" replacement and on new assets.
- The Crest was to continue to be used for all Civic and Ceremonial events and communications.
- The Heart to be used on campaign material
- Full usage guidelines to come back to the September 2026 Full Council meeting for approval
- Approve the Communications strategy for the Brand Rationalisation.

Meeting closed at: 7:45

Signed …….. Dated ……

DRAFT

Civility & Respect

IN COLLABORATION WITH SLCC, NALC, OVW, COUNTY ASSOCIATIONS

Councillor's Statement of Assurance

I confirm that I have read the council's Code of Conduct, including the principles of public life, and understand my obligations and the behaviour expected of me whenever I am acting as a councillor.

Understanding my duties as a councillor, I will adopt the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. I will also:

- Behave respectfully towards others, including those I disagree with.
- Uphold the values identified in my council's Code of Conduct.
- Attend training required by the council as part of my role as a councillor.

Signed _____

Name _____

Date _____

Melksham Town Council
Standing Orders 2026

Date Adopted: 11/05/2026

Date Due For Review: May 2027

History: Reviewed by Full Council and adopted 23 April 2019; Amended November 2019; Revised June 2021; Reviewed by Full Council 28 June 2021; Reviewed by Full Council 16 May 2022; Reviewed by Full Council 22 May 2023 - adopted; Revised, reviewed by Full Council and adopted 20 May 2024. Reviewed & adopted by Full Council 19 May 2025.

STANDING ORDERS 2026

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INTRODUCTION

a) These model standing orders update the National Association of Local Council (NALC) model standing orders contained in "Local Councils Explained" by Meera Tharmarajah (© 2013 NALC). Their publication contains new model standing orders which reference new legislation introduced in 2025 when the last model standing orders were published.

b) How to use model standing orders

i. Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

ii. 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 model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

iii. The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

c) Drafting Notes

i. Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

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

iii. A model standing order that includes brackets like their '( )' requires information to be inserted by a council. A model standing order that includes brackets like their '[ ]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

1. RULES OF DEBATE AT MEETINGS

1.1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.

1.2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

1.3. A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.

1.4. 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.

1.5. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

1.6. 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.

1.7. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.

1.8. A Councillor may move an amendment to their 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.

1.9. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.

1.10. Subject to standing order 1.11, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.

1.11. One or more amendments may be discussed together if the chair of the meeting considers this expedient, but each amendment shall be voted upon separately.

1.12. A Councillor may not move more than one amendment to an original or substantive motion.

1.13. The mover of an amendment has the right of reply at the end of debate on it.

1.14. 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.

1.15. Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:

- 1.15.1. to speak on an amendment moved by another councillor;
- 1.15.2. to move or speak on another amendment if the motion has been amended since they last spoke;
- 1.15.3. to make a point of order;
- 1.15.4. to give a personal explanation; or
- 1.15.5. to exercise a right of reply.

1.16. 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.

1.17. A point of order shall be decided by the chair of the meeting and their decision shall be final.

1.18. When a motion is under debate, no other motion shall be moved except:

- 1.18.1. to amend the motion;
- 1.18.2. to proceed to the next business;
- 1.18.3. to adjourn the debate;
- 1.18.4. to put the motion to a vote;
- 1.18.5. to ask a person to be no longer heard or to leave the meeting;
- 1.18.6. to refer a motion to a committee or sub-committee for consideration;
- 1.18.7. to exclude the public and press;
- 1.18.8. to adjourn the meeting; or
- 1.18.9. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

1.19. Before an original or substantive motion is put to the vote, the chair 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 their right of reply.

1.20. Excluding motions moved under standing order 1.18, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the chair of the meeting.

2. DISORDERLY CONDUCT AT MEETINGS

2.1. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

2.2. If such person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair 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.

2.3. If a resolution made under standing order 2.2 is ignored, the chair 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

3.1. 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. ●

3.2. 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. ●

3.3. 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. 🟠

3.4. 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. 🔴🟠

3.5. Members of the public may, during the period of public participation, ask questions at any Full Council meeting, committee meeting or sub-committee meeting, whether or not such questions are in respect of the business on the agenda. Members of the public may, with permission from the chair, make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

3.6. The period of time designated for public participation at a meeting in accordance with standing order 3.5 shall not exceed 15 minutes unless directed by the chair of the meeting.

3.7. Subject to standing order 3.6, a member of the public shall not speak for more than three minutes.

3.8. In accordance with standing order 3.5, a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.

3.9. A person shall raise their hand when requesting to speak.

3.10. A person who speaks at a meeting shall direct their comments to the chair of the meeting.

3.11. Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.

3.12. **Subject to standing order 3.13, 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.** 🔴🟠

3.13. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.** 🔴🟠

3.14. **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.** 🔴🟠

3.15. Councillors may make representations regarding the business of the Council at meetings of Full Council under a specific agenda item.

3.16. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council.** 🔴

3.17. **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.** 🔴

3.18. **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.** 🔴🟠🟢

3.19. **The Chair 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 their casting vote whether or not they gave an original vote.** ●●●

3.20. See standing orders 5.8 and 5.9 for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

3.21. **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 their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda. ●

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

- 3.22.1. the time and place of the meeting;
- 3.22.2. the names of councillors who are present and the names of councillors who are absent;
- 3.22.3. interests that have been declared by councillors and non-councillors with voting rights;
- 3.22.4. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- 3.22.5. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- 3.22.6. if there was a public participation session; and
- 3.22.7. the resolutions made.

3.23. **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 their right to participate and vote on that matter.** ●●●

3.24. **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.** ●

3.25. See standing order 4.4.7 for the quorum of a committee or sub-committee meeting.

3.26. **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. ●●●

3.27. Meetings shall not exceed a period of three hours or continue later than 10pm.

4. COMMITTEES AND SUB-COMMITTEES

4.1. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

4.2. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

4.3. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

4.4. The Council may appoint standing committees or other committees as may be necessary, and:

- 4.4.1. shall determine their terms of reference;

4.4.2. 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;

4.4.3. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;

4.4.4. shall, subject to standing orders 4.2 and 4.3, appoint and determine the terms of office of members of such a committee;

4.4.5. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;

4.4.6. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;

4.4.7. 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;

4.4.8. shall determine if the public may participate at a meeting of a committee;

4.4.9. 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;

4.4.10. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and

4.4.11. may dissolve a committee or a sub-committee.

5. ORDINARY COUNCIL MEETINGS

5.1. **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.**

5.2. **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.**

5.3. **If no other time is fixed, the annual meeting of the Council shall take place at 7pm.**

5.4. **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.**

5.5. **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council.**

5.6. **The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**

5.7. **The Vice-Chair of the Council, if there is one, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

5.8. **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**

5.9. **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election**

of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.

5.10. Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting, the business shall include:

5.10.1. **In an election year, delivery by the Chair 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 Chair of the Council of their acceptance of office form unless the Council resolves for it to be done at a later date;**

5.10.2. Confirmation of the accuracy of the minutes of the last meeting of the Council;

5.10.3. Receipt of the minutes of the last meeting of a committee;

5.10.4. Consideration of the recommendations made by a committee;

5.10.5. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;

5.10.6. Review of the terms of reference for committees;

5.10.7. Appointment of members to existing committees;

5.10.8. Appointment of any new committees in accordance with standing order 4;

5.10.9. Review and adoption of appropriate standing orders and financial regulations;

5.10.10. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.

5.10.11. Review of representation on or work with external bodies and arrangements for reporting back;

5.10.12. 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;

5.10.13. Review of inventory of land and other assets including buildings and office equipment;

5.10.14. Confirmation of arrangements for insurance cover in respect of all insurable risks;

5.10.15. Review of the Council's and/or staff subscriptions to other bodies;

5.10.16. Review of the Council's complaints procedure;

5.10.17. 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 13, 22 and 23);

5.10.18. Review of the Council's policy for dealing with the press/media;

5.10.19. Review of the Council's employment policies and procedures;

5.10.20. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

5.10.21. 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

6.1. **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**

6.2. **If the Chair 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.

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

6.4. If the chair of a committee or a sub-committee does not call an extraordinary meeting within seven days of having been requested to do so by two 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. ATTENDANCE AT MEETINGS AND RIGHT TO RECEIVE DOCUMENTS

7.1. Councillors may attend meetings of committees or sub-committees to which they have not been appointed. This is a legitimate practice as councillors have the same rights to attend committee or sub-committee meetings as members of the public.

7.2. However, only councillors who have been appointed as members of the Staffing Committee will be permitted to attend and participate in meetings of that Committee.

7.3. Councillors cannot claim an automatic right to see all council documentation and information. If a councillor is not a member of a particular committee, he has to demonstrate why sight of a document or receipt of the information in question is necessary to enable him to perform his duties as a councillor.

8. PREVIOUS RESOLUTIONS

8.1. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least seven councillors to be given to the Proper Officer in accordance with standing order 10, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

8.2. When a motion moved pursuant to standing order 10.1 has been disposed of, no similar motion may be moved for a further six months.

9. VOTING ON APPOINTMENTS

9.1. 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 chair of the meeting.

10. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

10.1. 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.

10.2. 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.

10.3. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 10.2, correct obvious grammatical or typographical errors in the wording of the motion.

10.4. If the Proper Officer considers the wording of a motion received in accordance with standing order 10.2 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.

10.5. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair 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.

10.6. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

10.7. Motions received shall be recorded and numbered in the order that they are received.

10.8. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

11. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

11.1. The following motions may be moved at a meeting without written notice to the Proper Officer:

11.1.1. to correct an inaccuracy in the draft minutes of a meeting;

11.1.2. to move to a vote;

11.1.3. to defer consideration of a motion;

11.1.4. to refer a motion to a particular committee or sub-committee;

11.1.5. to appoint a person to preside at a meeting;

11.1.6. to change the order of business on the agenda;

11.1.7. to proceed to the next business on the agenda;

11.1.8. to require a written report;

11.1.9. to appoint a committee or sub-committee and their members;

11.1.10. to extend the time limits for speaking;

11.1.11. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;

11.1.12. to not hear further from a councillor or a member of the public;

11.1.13. to exclude a councillor or member of the public for disorderly conduct;

11.1.14. to temporarily suspend the meeting;

11.1.15. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);

11.1.16. to adjourn the meeting; or

11.1.17. to close the meeting.

12. MANAGEMENT OF INFORMATION

See also standing order 22.

12.1. **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.**

12.2. **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).**

12.3. **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.**

12.4. **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

13. DRAFT MINUTES

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

13.1. 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.

13.2. 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 11.1.1.

13.3. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

13.4. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

> "The Chair 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 their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

13.5. **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.** ●●●

13.6. Subject to the publication of draft minutes in accordance with standing order 13.5 and standing order 20.1 and following a resolution which confirms the accuracy of the

minutes of a meeting, the draft minutes of the meeting for which approved minutes exist shall be destroyed. Facebook recordings of meetings are to be kept online for no less than eighteen months after the meeting.

14. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3.22.

14.1. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

14.2. 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.

14.3. 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.

14.4. **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.

14.5. A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required, and that decision is final.

14.6. A dispensation request shall confirm:

- 14.6.1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- 14.6.2. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- 14.6.3. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- 14.6.4. an explanation as to why the dispensation is sought.

14.7. Subject to standing orders 14.4 and 14.6, a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.

14.8. **A dispensation may be granted in accordance with standing order 15.5 if having regard to all relevant circumstances any of the following apply:**

- 14.8.1. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
- 14.8.2. **granting the dispensation is in the interests of persons living in the Council's area; or**
- 14.8.3. **it is otherwise appropriate to grant a dispensation.**

15. CODE OF CONDUCT COMPLAINTS

15.1. Upon notification by the 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 12, report this to the Council.

15.2. Where the notification in standing order 15.1 relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of their fact, and the Chair 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 15.4.

15.3. The Council may:

15.3.1. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;

15.3.2. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

15.4. **Upon notification by the 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 them. Such action excludes disqualification or suspension from office.**

16. PROPER OFFICER

16.1. The Proper Officer shall be the clerk.

16.2. The Proper Officer shall:

16.2.1. **at least three clear days before a meeting of the council, a committee** or a sub-committee,

16.2.1.1. **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**

16.2.1.2. **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).**

16.2.1.3. *See standing order 3.2 for the meaning of clear days for a meeting of a full council and standing order 3.3 for the meaning of clear days for a meeting of a committee;*

16.2.2. subject to standing order 10, 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 their withdrawal of it;

16.2.3. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**

16.2.4. **facilitate inspection of the minute book by local government electors;**

16.2.5. **receive and retain copies of byelaws made by other local authorities;**

16.2.6. hold acceptance of office forms from Councillors;

16.2.7. hold a copy of every Councillor's register of interests;

16.2.8. 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;

16.2.9. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);

16.2.10. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

16.2.11. assist in the organisation 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);

16.2.12. arrange for legal deeds to be executed;
(see also standing order 24);

16.2.13. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;

16.2.14. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;

16.2.15. refer a planning application received by the Council the Chair or in their absence Vice-Chair of the Planning Committee 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 committee;

16.2.16. manage access to information about the Council via the publication scheme.

17. RESPONSIBLE FINANCIAL OFFICER

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

18. ACCOUNTS AND ACCOUNTING STATEMENTS

18.1. "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".

18.2. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

18.3. The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30th June, 30th September and 31st December in each year a statement to summarise:

18.3.1. the Council's receipts and payments (or income and expenditure) for each quarter;

18.3.2. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;

18.3.3. 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.

18.4. As soon as possible after the financial year end at 31st March, the Responsible

Financial Officer shall provide:

18.4.1. 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

18.4.2. 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.

18.5. 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 31st 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 30th June.

19. FINANCIAL CONTROLS AND PROCUREMENT

19.1. 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:

19.1.1. the keeping of accounting records and systems of internal controls;

19.1.2. the assessment and management of financial risks faced by the Council;

19.1.3. 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;

19.1.4. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and

19.1.5. whether contracts with an estimated value below £30,000 including VAT due to special circumstances are exempt from a tendering process or procurement exercise.

19.2. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

19.3. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 including VAT but less than the relevant thresholds referred to in standing order 19.7 is subject to the 'light touch' arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).

19.4. 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:

19.4.1. a specification for the goods, materials, services or the execution of works shall be drawn up;

19.4.2. 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;

19.4.3. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;

19.4.4. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

19.4.5. tenders shall be opened by the Proper Officer in the presence of at least two councillors after the deadline for submission of tenders has passed;

19.4.6. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

19.5. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

19.6. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

20. HANDLING STAFF MATTERS

20.1. A matter personal to a member of staff that is being considered by a meeting of the Staffing Committee is subject to standing order 12.

20.2. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff shall contact the chair of the Staffing Committee or in their absence, the vice-chair of the Staffing Committee in respect of an informal or formal grievance matter, and their matter shall be reported back and progressed by resolution of Staffing Committee if appropriate and subject to standing order 12.

20.3. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the chair or vice-chair of the Staffing Committee, it shall be communicated to another member of Staffing Committee, which shall be reported back and progressed by resolution of the Staffing Committee, if appropriate and subject to standing order 12.

20.4. 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.

20.5. In accordance with standing order 12.1, persons with line management responsibilities shall have access to staff records referred to in standing order 20.4.

21. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 22.

21.1. **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.**

21.2. *[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.

22. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exhaustive list).

See also standing order 12.

22.1. The Council may appoint a Data Protection Officer.

22.2. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**

22.3. **The Council shall have a written policy in place for responding to and managing a personal data breach.**

22.4. **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.**

22.5. **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.**

22.6. **The Council shall maintain a written record of its processing activities.**

23. RELATIONS WITH THE PRESS/MEDIA

23.1. 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.

24. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 16.2.12.

24.1. A legal deed shall be executed on behalf of the Council by the Chair, Vice-Chair or any member of the Finance and Administration Committee.

24.2. **Subject to standing order 24.1, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

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

25. COMMUNICATING WITH UNITARY COUNCILLORS

25.1. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Unitary Council representing the area of the Council.

25.2. Unless the Council determines otherwise, a copy of each letter sent to the Unitary Council shall be sent to the ward Councillor(s) representing the area of the Council.

26. RESTRICTIONS ON COUNCILLOR ACTIVITIES

26.1. Unless duly authorised no Councillor shall:

26.1.1. inspect any land and/or premises which the Council has a right or duty to inspect; or

26.1.2. issue orders, instructions or directions.

27. STANDING ORDERS GENERALLY

27.1. 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.

27.2. 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 three Councillors to be given to the Proper Officer in accordance with standing order 11.

27.3. The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible.

27.4. The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

Melksham Town Council
Financial Regulations 2025

Date Adopted: 19/05/2025

Date amended: 01/09/2025

Date Due For Review: May 2026

FINANCIAL REGULATIONS 2025

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Appendix 1 - Tender Process

1. General

1.1. These Financial Regulations govern the financial management of the council and may only be amended or varied by resolution of the council. They are one of the council's governing documents and shall be observed in conjunction with the council's 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 breach of these regulations by an employee may result in disciplinary proceedings.

1.4. In these Financial Regulations:

1.4.1. '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.

1.4.2. "Approve" refers to an online action, allowing an electronic transaction to take place.

1.4.3. "Authorise" refers to a decision by the council, or a committee or an officer, to allow something to happen.

1.4.4. 'Proper practices' means those set out in The Practitioners' Guide

1.4.5. 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 One Voice Wales and the Society of Local Council Clerks in Wales.

1.4.6. 'Must' and **bold text** refer to a statutory obligation the council cannot change.

1.4.7. '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 RFO;

1.5.1. acts under the policy direction of the council;

1.5.2. administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;

1.5.3. determines on behalf of the council its accounting records and control systems;

1.5.4. ensures the accounting control systems are observed;

1.5.5. ensures the accounting records are kept up to date;

1.5.6. seeks economy, efficiency and effectiveness in the use of council resources; and

1.5.7. produces financial management information as required by the council.

1.6. **The council must not delegate any decision regarding:**

1.6.1. **setting the final budget or the precept (council tax requirement);**

1.6.2. **the outcome of a review of the effectiveness of its internal controls**

1.6.3. **approving accounting statements;**

1.6.4. **approving an annual governance statement;**

1.6.5. **borrowing;**

1.6.6. **declaring eligibility for the General Power of Competence; and**

1.6.7. **addressing recommendations from the internal or external auditors**

1.7. In addition, the council shall:

1.7.1. determine and regularly review the bank mandate for all council bank accounts;

1.7.2. authorise any grant or single commitment in excess of £20,000 excluding VAT.

2. Risk Management and Internal Control

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

2.2. The Clerk with the RFO shall prepare, for approval by the council, a risk management policy covering all activities of the council. This policy and consequential risk management arrangements shall be reviewed by the council at least annually.

2.3. When considering any new activity, the Clerk with the RFO shall prepare a draft risk assessment including risk management proposals for consideration by the council.

2.4. **At least once a year, the council must review the effectiveness of its system of internal control, before approving the Annual Governance Statement.**

2.5. **The accounting control systems determined by the RFO must include measures to:**

2.5.1. **ensure that risk is appropriately managed;**

2.5.2. **ensure the prompt, accurate recording of financial transactions;**

2.5.3. **prevent and detect inaccuracy or fraud; and**

2.5.4. **allow the reconstitution of any lost records;**

2.5.5. **identify the duties of officers dealing with transactions and**

2.5.6. **ensure division of responsibilities.**

2.6. At least once in each quarter, and at each financial year end, a member other than the Chair or a cheque signatory shall be appointed to verify bank reconciliations for all accounts produced by the RFO. The member shall sign and date the reconciliations and the original bank statements or similar document as evidence of this. This activity, including any exceptions, shall be reported to and noted by the council.

2.7. 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.

3. Accounts and Audit

3.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations.

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

3.2.1. **day-to-day entries of all sums of money received and expended by the council and the matters to which they relate;**

3.2.2. **a record of the assets and liabilities of the council;**

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

3.4. 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.

3.5. **The council must ensure that there is an adequate and effective system of internal audit of its accounting records and internal control system in accordance with proper practices.**

3.6. **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 the 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.

3.7. 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.

3.8. The council shall ensure that the internal auditor:

3.8.1. is competent and independent of the financial operations of the council;

3.8.2. reports to council in writing, or in person, on a regular basis with a minimum of one written report during each financial year;

3.8.3. can demonstrate competence, objectivity and independence, free from any actual or perceived conflicts of interest, including those arising from family relationships; and

3.8.4. has no involvement in the management or control of the council

3.9. Internal or external auditors may not under any circumstances:
   3.9.1. perform any operational duties for the council;
   3.9.2. initiate or approve accounting transactions;
   3.9.3. provide financial, legal or other advice including in relation to any future transactions; or
   3.9.4. direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

3.10. 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.

3.11. 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.

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

4. Budget and Precept

4.1. **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.**

4.2. Budgets for salaries and wages, including employer contributions shall be reviewed by the council at least annually in October for the following financial year and the final version shall be evidenced by a hard copy schedule signed by the Clerk and the Chair of the Council or relevant committee. The RFO will inform committees of any salary implications before they consider their draft their budgets.

4.3. No later than November each year, the RFO shall prepare a draft budget with detailed estimates of all receipts and payments/income and expenditure for the following financial year, taking account of the lifespan of assets and cost implications of repair or replacement.

4.4. Unspent budgets for completed projects shall not be carried forward to a subsequent year. Unspent funds for partially completed projects may only be carried forward by placing them in an earmarked reserve with the formal approval of the full council. Any unspent funds not placed in an Earmarked Reserve shall be returned to the General Reserve.

4.5. Each committee shall review its draft budget and submit any proposed amendments to the council finance committee not later than the end of November each year.

4.6. The draft budget with any committee proposals, including any recommendations for the use or accumulation of reserves, shall be considered by the finance committee and a recommendation made to the council.

4.7. Having considered the proposed budget, the council shall determine its council tax requirement by setting a budget. The council shall set a precept for this amount no later than the end of January for the ensuing financial year.

4.8. **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 and must disclose at the start of the meeting that Section 106 applies to them.

4.9. The RFO shall **issue the precept to the billing authority no later than the end of February** and supply each member with a copy of the agreed annual budget.

4.10. The agreed budget provides a basis for monitoring progress during the year by comparing actual spending and income against what was planned.

4.11. Any addition to, or withdrawal from, any earmarked reserve shall be agreed by the council or relevant committee.

5. Procurement

5.1. **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 best available terms are obtained, usually by obtaining prices from several suppliers.

5.2. The RFO should verify the lawful nature of any proposed purchase before it is made and in the case of new or infrequent purchases, should ensure that the legal power being used is reported to the meeting at which the order is authorised and also recorded in the minutes.

5.3. Every contract shall comply with these the council's Standing Orders and these Financial Regulations and no exceptions shall be made, except in an emergency.

5.4. **For a contract for the supply of goods, services or works where the estimated value will exceed the thresholds 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.**

5.5. Where the estimated value is below the Government threshold, the council shall (with the exception of items listed in paragraph 5.12) obtain prices as follows:

5.6. For contracts estimated to be over £29,999 including VAT, the Clerk shall seek formal tenders from at least three suppliers agreed by the council OR advertise an open invitation for tenders in compliance with any relevant provisions of the Legislation. Tenders shall be invited in accordance with Appendix 1.

5.7. **For contracts estimated to be over £30,000 including VAT, the council must comply with any requirements of the Legislation[1] regarding the publication of invitations and notices.**

5.8. For contracts greater than £5,000 excluding VAT the Clerk or RFO shall seek at least 3 fixed-price quotes, at least one of which should if possible be a local supplier;

5.9. For smaller purchases, the Clerk shall seek to achieve value for money.

5.10. **Contracts must not be split to avoid compliance with these rules.**

5.11. The requirement to obtain competitive prices in these regulations need not apply to contracts that relate to items (i) to (iv) below:

5.11.1. specialist services, such as legal professionals acting in disputes;

5.11.2. repairs to, or parts for, existing machinery or equipment;

5.11.3. works, goods or services that constitute an extension of an existing contract;

5.11.4. goods or services that are only available from one supplier or are sold at a fixed price.

[1] The Regulations require councils to use the Find A Tender 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.

5.12. When applications are made to waive this financial regulation to enable a price to be negotiated without competition, the reason should be set out in a recommendation to the council or relevant committee. Avoidance of competition is not a valid reason.

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

5.14. Individual purchases within an agreed budget for that type of expenditure may be authorised by:

- 5.14.1. The Clerk, under delegated authority, for any items below £10,000 (excluding VAT).
- 5.14.2. The Clerk, in consultation with the Chair of the Council or Chair of the appropriate committee, for any items between £10,000 and £15,000 (excluding VAT).
- 5.14.3. A duly delegated committee of the council for all items of expenditure between £15,000 and £20,000 (excluding VAT), within their delegated budgets.
- 5.14.4. The full council for all items over £20,000 (excluding VAT).
- 5.14.5. For grants, a duly authorised committee may approve expenditure within any limits set by the council and in accordance with an agreed policy statement.
- 5.14.6. All authorisations must be supported by a minute in the case of committee or full council approvals, or other auditable evidence for delegated decisions.

5.15. No individual member, or informal group of members may issue an official order unless instructed to do so in advance by a resolution of the council or make any contract on behalf of the council.

5.16. 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.

5.17. In cases of serious risk to the delivery of council services or to public safety on council premises, the clerk may authorise expenditure of up to £20,000 excluding VAT on repair, replacement or other work that in their judgement is necessary, whether or not there is any budget for such expenditure. The Clerk shall report such action to the Chair as soon as possible and to the council as soon as practicable thereafter.

5.18. 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.

5.19. An official order or letter shall be issued for all work, goods and services above £250 excluding VAT unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained, along with evidence of receipt of goods.

5.20. Any ordering system can be misused and access to them shall be controlled by the RFO.

6. Banking and Payments

6.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and authorised by the council; banking arrangements shall not be

delegated to a committee. The council has resolved to bank with Lloyds Bank and Unity trust Bank PLC. The arrangements shall be reviewed annually for security and efficiency.

6.2. The council must have safe and efficient arrangements for making payments, to safeguard against the possibility of fraud or error. Wherever possible, more than one person should be involved in any payment, for example by 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.

6.3. All invoices for payment should be examined for arithmetical accuracy, analysed to the appropriate expenditure heading and verified to confirm that the work, goods or services were received, checked and represent expenditure previously authorised by the council before being certified by the RFO. Where the certification of invoices is done as a batch, this shall include a statement by the RFO that all invoices listed have been 'examined, verified and certified' by the RFO.

6.4. Personal payments including salaries, wages, expenses and any payment made in relation to the termination of employment may be summarised to avoid disclosing any personal information.

6.5. All payments shall be made by online banking, in accordance with a resolution of the council unless the council resolves to use a different payment method.

6.6. For each financial year the RFO may draw up a schedule of regular payments due in relation to a continuing contract or obligation (such as Salaries, PAYE, National Insurance, pension contributions, rent, rates, regular maintenance contracts and similar items), which the council may authorise in advance for the year.

6.7. A copy of this schedule of regular payments shall be signed by two members on each and every occasion when payment is made - to reduce the risk of duplicate payments.

6.8. A list of such payments shall be reported to the next appropriate meeting of the council or Finance Committee for information only.

6.9. The Clerk and RFO shall have delegated authority to authorise payments only in the following circumstances:

    6.9.1. any payments of up to £10,000 excluding VAT, within an agreed budget.

    6.9.2. payments of up to £20,000 excluding VAT in cases of serious risk to the delivery of council services or to public safety on council premises.

    6.9.3. any payment necessary to avoid a charge under the Late Payment of Commercial Debts (Interest) Act 1998 or to comply with contractual terms, where the due date for payment is before the next scheduled meeting of the council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee.

    6.9.4. Fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council or finance committee.

6.10. The RFO shall present a schedule of payments requiring authorisation, forming part of the agenda for the meeting, together with the relevant invoices, to the council. The council shall review the schedule for compliance and, having satisfied itself, shall authorise payment by resolution. The authorised schedule shall be initialled immediately below the last item by the person chairing the meeting. A detailed list

of all payments shall be disclosed within or as an attachment to the minutes of that meeting.

7. Electronic Payments

7.1. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate agreed by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts and a minimum of two people will be involved in any online approval process. The Clerk may be an authorised signatory, but no signatory should be involved in approving any payment to themselves.

7.2. All authorised signatories shall have access to view the council's bank accounts online.

7.3. No employee or councillor 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.

7.4. The Service Administrator shall set up all items due for payment online. A list of payments for approval, together with copies of the relevant invoices, shall be sent by email to two authorised signatories.

7.5. In the prolonged absence of the Service Administrator an authorised signatory shall set up any payments due before the return of the Service Administrator.

7.6. Two councillors who are authorised signatories shall check the payment details against the invoices before approving each payment using the online banking system.

7.7. Evidence shall be retained showing which members approved the payment online and a printout of the transaction confirming that the payment has been made shall be appended to the invoice for audit purposes.

7.8. A full list of all payments made in a month shall be provided to the next council meeting and appended to the minutes.

7.9. With the approval of the council in each case, regular payments (such as gas, electricity, telephone, broadband, water, National Non-Domestic Rates, refuse collection, pension contributions and HMRC payments) may be made by variable direct debit, provided that the instructions are signed/approved online by two authorised members. The approval of the use of each variable direct debit shall be reviewed by the council at least every two years.

7.10. Payment may be made by BACS or CHAPS by resolution of the council provided that each payment is approved online by two authorised bank signatories, evidence is retained and any payments are reported to the council at the next meeting. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

7.11. If thought appropriate by the council, regular payments of fixed sums may be made by banker's standing order, provided that the instructions are signed or approved online by two members, evidence of this is retained and any payments are reported to council when made. The approval of the use of a banker's standing order shall be reviewed by the council at least every two years.

7.12. Account details for suppliers may only be changed upon written notification by the supplier verified by both the Clerk and the RFO. 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.

7.13. Members and 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.

7.14. Remembered password facilities other than secure password stores requiring separate identity verification should not be used on any computer used for council banking.

8. Cheque Payments

8.1. Cheques or orders for payment in accordance in accordance with a resolution or delegated decision shall be signed by two members.

8.2. A signatory having a family or business relationship with the beneficiary of a payment shall not, under normal circumstances, be a signatory to that payment.

8.3. To indicate agreement of the details on the cheque with the counterfoil and the invoice or similar documentation, the signatories shall also initial the cheque counterfoil and invoice.

8.4. Cheques or orders for payment shall not normally be presented for signature other than at, or immediately before or after a council or committee meeting. Any signatures obtained away from council meetings shall be reported to the council or Finance Committee at the next convenient meeting.

9. Payment Cards

9.1. Any Debit Card issued for use will be specifically restricted to the Clerk and the RFO and will also be restricted to a single transaction maximum value of £1,000 excluding VAT unless authorised by council or finance committee in writing before any order is placed.

9.2. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.

9.3. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and RFO specify other officers and any balance shall be paid in full each month.

9.4. Personal credit or debit cards of members or staff shall not be used under any circumstances.

10. Payment of Salaries and Allowances

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

10.2. **Councillors' allowances (where paid) are also liable to deduction of tax under PAYE rules and must be taxed correctly before payment.**

10.3. Salary rates shall be agreed by the council, or a duly delegated committee. No changes shall be made to any employee's gross pay, emoluments, or terms and conditions of employment without the prior consent of the council.

10.4. Payment of salaries shall be made, after deduction of tax, national insurance, pension contributions and any similar statutory or discretionary deductions, on the dates stipulated in employment contracts.

10.5. Deductions from salary shall be paid to the relevant bodies within the required timescales, provided that each payment is reported, as set out in these regulations above.

10.6. Each payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a payroll control account or other separate confidential record, with the total of such payments each calendar month reported in the cashbook.
10.7. Any termination payments shall be supported by a report to the council, setting out a clear business case. Termination payments shall only be authorised by the full council.
10.8. Before employing interim staff, the council must consider a full business case.

11. Loans and Investments

11.1. Any application for Government approval to borrow money and subsequent arrangements for a loan must be authorised by the full council and recorded in the minutes. All borrowing shall be in the name of the council, after obtaining any necessary approval.
11.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State (such as Hire Purchase, Leasing of tangible assets or loans to be repaid within the financial year) must be authorised by the full council, following a written report on the value for money of the proposed transaction.
11.3. The council shall consider the requirement for an Investment Strategy and Policy in accordance with Statutory Guidance on Local Government Investments, which must be written in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
11.4. All investment of money under the control of the council shall be in the name of the council.
11.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
11.6. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, shall be made in accordance with these regulations.

12. Income

12.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
12.2. The council will review all fees and charges for work done, services provided, or goods sold at least annually as part of the budget-setting process, following a report of the Clerk. The RFO shall be responsible for the collection of all amounts due to the council.
12.3. Any sums found to be irrecoverable and any bad debts shall be reported to the council by the RFO and shall be written off in the year. The council's approval shall be shown in the accounting records.
12.4. All sums received on behalf of the council shall be deposited intact with the council's bankers, with such frequency as the RFO considers necessary. The origin of each receipt shall clearly be recorded on the paying-in slip or other record.
12.5. Personal cheques shall not be cashed out of money held on behalf of the council.
12.6. The RFO shall ensure that VAT is correctly recorded in the council's accounting software and that any VAT Return required is submitted form the software by the due date.
12.7. Where significant sums of cash are regularly received by the council, the RFO shall 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 record such as ticket issues, and that appropriate care is taken for the security and safety of individuals banking such cash.

12.8. Any income that is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council to meet expenditure already incurred by the authority will be given by the Managing Trustees of the charity meeting separately from any council meeting.

13. Payments Under Contracts for Building or Other Construction Works

13.1. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments, which shall be made within the time specified in the contract based on signed certificates from the architect or other consultant engaged to supervise the works.

13.2. Any variation of, addition to or omission from a contract must be authorised by the Clerk to the contractor in writing, with the council being informed where the final cost is likely to exceed the contract sum by 15% or more, or likely to exceed the budget available.

14. Stores and Equipment

14.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.

14.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

14.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

14.4. The RFO shall be responsible for periodic checks of stocks and stores, at least annually.

15. Assets, Properties and Estates

15.1. The Clerk shall make arrangements for the safe custody of all title deeds and Land Registry Certificates of properties held by the council.

15.2. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date, with a record of all properties held by the council, their 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.

15.3. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15.4. 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 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).

15.5. 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 excluding VAT. In each case a written report shall be provided to council with a full business case.

16. Insurance

16.1. The RFO shall keep a record of all insurances effected by the council and the property and risks covered, reviewing these annually before the renewal date in conjunction with the council's review of risk management.

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

16.3. The RFO shall be notified of any loss, liability, damage or event likely to lead to a claim, and shall report these to the council at the next available meeting. The RFO shall negotiate all claims on the council's insurers in consultation with the Clerk.

16.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the council, or duly delegated committee.

17. Charities

17.1. Where the council is sole managing 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 shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

18. Suspension and Revision of Financial Regulations

18.1. The council shall review these Financial Regulations 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.

18.2. 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 suspension 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.

18.3. 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.

Appendix 1 - Tender Process

1. Any 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.

2. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post, unless an electronic tendering process has been agreed by the council.
3. Where a postal process is used, each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
4. Where an electronic tendering process is used, the council shall use a specific email address that will be monitored to ensure that nobody accesses any tender before the expiry of the deadline for submission.
5. Any invitation to tender issued under this regulation shall be subject to Standing Order 18 and shall refer to the terms of the Bribery Act 2010.
6. Where the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

Melksham Town Council

Investment Report – year to 31 March 2026

1. **Introduction**

This report is required by the third edition of the statutory Community and Local Government (CLG) Investments Guidance Note that came into force on 1 April 2018.

2. **Summary of Investments year to 31 March 2026**

The following investments were made during the year ended 31 March 2025:

Account	**Amount Invested £**	**Start Date**	**End Date**	**Interest Rate**
Unity Bank Instant Access Savings	£100,000.00	24/06/25	Ongoing	2.6%
	£600,000.00	11/07/25	Ongoing	
	£300,000.00	31/10/25	Ongoing	

3. **Start of Year Investments**

On 1 April 2025, the following investments were in place:

Account	**Balance Invested £**	**Start Date**	**End Date**	**Interest Rate**
The Cambridge Building Society CB01444978	£89,154.00	09/12/2022	Ongoing	1.00%
Lloyds Bank Current Account	£171,970.01		13/10/25	None
Unity Bank Current Account	£594,302.70		Ongoing	None
CCLA Public Sector Deposit Fund	£710,371.84		Ongoing	Reinvestment

Melksham Town Council
Terms of Reference

Date Adopted: ~~19/05/2025~~ 11/05/2026

~~**Date Amended 02/06/2025**~~

Date Due For Review: May ~~2026~~ 2027

TERMS OF REFERENCE

Index

- **Full Council**
- **~~Economic Development &~~ Planning Committee**
- **Finance~~, Governance & Performance~~ Committee**
- **~~Staffing~~ People Committee**
- **~~Amenities & Facilities~~ Operations Committee**
- **Community ~~Development~~ Committee**
- **Working Groups/Task & Finish Groups**
- **Co-option Policy**

Note: Amendments to these Terms of Reference may be made from time to time by resolution of the Town Council.

Full Council

1. **Membership**: All 15 elected members of the Town Council.

The following matters shall be reserved for decision by Full Council, but the appropriate Committee(s) may make recommendation for the Council's consideration:

- The Precept demand
- Borrowing money
- Making, amending or revoking Standing Orders, Financial Regulations, Duties and Powers of Proper Officer provisions
- Making, amending or revoking by-laws
- Making of Orders under Statutory Powers
- Matters of principle or policy
- Addressing recommendations in any report from the Internal and External Auditors
- Nomination of members of all proper and sub committees
- New powers or duties
- Prosecution or defence in a Court of Law
- Nomination or appointment of representatives of the Council to any enquiry on matters affecting the town
- To receive and adopt the Annual Accounts
- To receive and sign off the Annual Internal & External Audit and Return
- To receive reports referred to the Town Council from the various Committees/Sub-Committees
- To set up Working Groups/Task & Finish Groups as necessary
- To receive reports and consider recommendations from Working Groups/Task & Finish Groups set up by Full Council
- To appoint representatives on outside bodies or joint bodies
- To confirm the appointment of the Town Mayor/Deputy Mayor
- To confirm the schedule of meetings of the Town Council/Committees and Sub-Committees for the ensuing year
- To receive petitions and deputations from members of the public or any organisations
- Any other matters not delegated to a Committee or Sub-Committee or referred to the Council by Committees or Sub-Committees

~~Economic Development &~~ Planning Committee

The Committee will meet to consider all planning applications in the town.

Comments will be sent to Wiltshire Council as part of their consultation procedure. The aim is to use guidance contained in the National Planning Policy Framework, the Joint Melksham Neighbourhood Plan, planning legislation, Wiltshire Council's Core Strategy and Local Plan, Policy and Periodic Planning Guidance notes to preserve and enhance the town's character, whilst encouraging its commercial and social vitality. It will also consider the contents and desires laid out in the Neighbourhood Plan and Local Plan.

Where appropriate, planning applications submitted in the Parish of Melksham Without may also be discussed and commented on if relevant to the Town Council.

Highway issues raised for the Local Highways and Footpath Improvement Group (LHFIG), Emergency Planning and Flood Plans will also be managed by this Committee.

1. **Membership:** Seven elected members.
   1.1. Invited officers relevant to planning and economic development, who will have no voting rights.
   1.2. No business may be transacted at a meeting unless at least 50% of the whole number of members of the Committee, rounded up, are present.
   1.3. Substitution of Members - Substitutes should be nominated by the Member of the Committee planning to be absent and notified to the Proper Officer in writing by 3pm on the day of the meeting.

2. **Delegated Business:** The Committee has delegated authority to deal with the following matters on an ongoing basis or to conclusion:

   Planning

   2.1 At meetings to consider all planning applications sent for consultation by Wiltshire Council.
   2.2 To comment on behalf of the Town Council on planning applications having due regard to Town Council policy.
   2.3 To delegate the power to the CEO/Town Clerk in discussion with the Town Mayor or Deputy Town Mayor, to make recommendations to Wiltshire Council on minor revisions to applications for which there is insufficient time to call a planning committee meeting. The exercise of this power should be consistent with established practice and policy of the committee, where defined, and shall be reported to the next planning committee meeting.
   2.4 To deal with requests for street naming.
   2.5 To deal with consultation requests for street trading licences.
   2.6 To deal with any matters pertaining to the Licensing Act 2003.
   2.7 To refer all highway Issues through the relevant portal for the Local Highways and Footpaths Improvement Group (LHFIG).
   2.8 To develop and manage all Emergency Plans.
   2.9 To deal with Rights of Way, Bridle Ways, and Footpath matters.
   2.10 To prepare draft comments for any consultations received by the Council.
   2.11 To engage in pre-application consultations with developers.

2.12 To manage equipment within the area of its responsibilities and not under the control of any other committee.
2.13 To receive petitions and deputations from the public or any organisation.

Economic Development

2.14 To be responsible for recommending to Council key decisions and actions required in relation to the economic development of the town.
2.15 Approving and overseeing the delivery of any relevant service strategies which affect:
- economic development;
- investment in the town centre;
- to oversee and implement the Town Centre Master Plan;
- the establishment of external partnerships where they are relevant to the economic development of the town.

2.16 Approving and monitoring funding sources and mechanisms to assist with various initiatives, projects and actions within the remit of economic development.

Budget

2.17 To prepare, scrutinise and monitor the budget for the committee.
2.18 To approve expenditure within budget and to refer any requests for expenditure over budget to Full Council.
2.19 To approve expenditure within Ear Marked Reserves available to relevant projects for this committee.

3. Referred Business: To consider and make recommendations to the Town Council on the following matters:

3.1 Any other matters referred to the Committee by the Town Council.
3.2 All planning applications of a major strategic nature.
3.3 Consultations on any strategic plans produced by the Principal Authority, Wiltshire Council, such as Boundary Reviews, Local Development Framework, Local Plans or any such documents relevant to the town.
3.4 Budget estimates, to be prepared no later than October each year and submitted to the Finance, Administration and Performance Committee.

Finance~~, Governance & Performance~~ Committee

The ~~Finance and Administration & Performance~~ Committee is primarily responsible for financial oversight, management, and planning, ensuring the council operates responsibly and effectively with its financial resources. This includes monitoring income and expenditure, reviewing the annual accounts, ~~approving the award of grants,~~ and advising on policy and strategic financial matters.

1. **Membership:** Seven elected members.

1.1. Invited officers relevant to planning and economic development, who will have no voting rights.

1.2. No business may be transacted at a meeting unless at least 50% of the whole number of members of the Committee, rounded up, are present.

1.3. Substitution of Members - Substitutes should be nominated by the Member of the Committee planning to be absent and notified to the Proper Officer in writing by 3pm on the day of the meeting.

1. **Delegated Business:** The Committee has delegated authority to deal with the following matters to conclusion:

   2.1 All financial matters, other than those which Full Council have statutory responsibility for as stated within the Standing Orders and Financial Regulations.

   2.2 Oversight of the Monthly Management Accounts produced by the RFO.

   2.3 To receive reports of paid invoices for goods and services.

   2.4 Oversight of budgets drafted by the RFO for submission to Full Council for decision.

   2.5 To set up such Sub-Committees and Working Groups/Task & Finish Groups as necessary.

   2.6 Specific matters referred by the Town Council.

   2.7 Agree and have oversight of maintenance contracts and budgets for all services.

   2.8 To act as a Tender Committee as and when necessary to report the outcome of any tendering procedure to Full Council.

   2.9 Receive updates/amendments to Policy Documents, Standing Orders, Financial Regulations and Terms of Reference from the CEO/Town Clerk for consideration and onward approval by Full Council. This includes all necessary legislation updates.

   2.10 Monitor and report on the performance of the Town Council in meeting the objectives set out in its Action Plan.

   2.11 Receive petitions and deputations from members of the public or any organisation.

3. **Referred Business:** The Committee will consider and make recommendations to the Town Council on the following matters:

   3.1 All matters of policy.

3.2 Budget estimates to be prepared by the RFO no later than November each year.

3.3 Monitoring the performance of the Town Council in meeting its obligations, Action Plan and internal objectives. Monitoring Income and Expenditure within the Budget estimates approved by the Town Council and make necessary recommendations.

3.4 Any other matters referred to the Committee by the Town Council which is not otherwise within the Finance and Administration Terms of Reference.

~~Staffing~~ People Committee – Reporting to Full Council

The management of the staff of the Town Council is an operational matter and firmly in the domain of the CEO/Town Clerk.

1. Membership: Elected Members (see 1.4.) plus the Town Mayor and Deputy Mayor.

1.1. The Committee shall be appointed in every election year and remain in place for the term of office of the council, save for the Mayor and Deputy.

1.2. Membership will include two designated substitutes who will also be appointed in every election year and remain in place for the term of office of the council.

1.3. Members wishing to serve on the ~~Staffing~~ Committee should provide a summary of their qualifications and experience in the area of personnel matters. Members of the ~~Staffing~~ Committee will be provided with training on an on-going basis, which they will be expected to undertake.

1.4. The quorum shall be 50% of membership, rounded up. The committee will meet on an 'as required' basis.

2. Authority: Local Government Act 1972, Sections 101 and 102.

3. Delegated Business

3.1 The Council's Standing Orders will apply to all meetings of the Committee. Unless the Council directs otherwise, the Committee may arrange to devolve any of its functions to a sub-committee or to an officer.

3.2 The committee will have the right to resolve to restrict access to the rest of the council, where, in the committee's opinion, the papers and or information is deemed to be of a sensitive confidential nature. Councillors will need to demonstrate a 'need to know,' if they require sight of any other papers produced by or for the committee.

3.3 In any case where there is the potential for an appeal or claim against the council for unfair dismissal or constructive dismissal, before any information about the case is shared outside of the ~~Staffing~~ Committee and or the Appeals Panel, the time for appeal must have lapsed before the information can be shared.

3.4 The Committee has delegated authority to deal with the following matters on an ongoing basis or to conclusion:

3.4.1 To deal with all matters affecting the appointment, discipline, salary and terms and conditions of the CEO/Town Clerk.

3.4.2 To carry out the CEO/Town Clerk's annual appraisal and agree objectives.

3.4.3 To deal with any grievance regarding the CEO/Town Clerk.

3.4.4 To deal with any staff matters referred to the committee by the CEO/Town Clerk.

3.4.5 To interview for SMT appointments, in conjunction with the CEO/Town Clerk, and make decisions where appropriate.

3.4.6 To consider, where referred by the CEO/Town Clerk, any matters emanating from the absence, grievance and disciplinary procedures contained in the Employee Handbook applicable to all members of staff employed by the Town Council.

3.4.7 Approve the awarding of contractual Scale Point increments, as appropriate.

3.4.8 To receive updates on staffing matters including restructuring and significant changes to job descriptions.

4. **Delegation to the CEO/Town Clerk:** In accordance with Standing Orders, the CEO/Town Clerk shall be empowered to exercise and perform on behalf of and in the name of and without further reference to the Council or other such appropriate committee of the Council all powers and duties of the Council in relation to the following:

Staffing Matters

4.1 The overall management of the staff including the establishment of an officer organisation which facilitates the management of all activities, administration and services on behalf of the Council.

4.2 The day-to-day supervision of direct reporting employees.

4.3 The maintenance of staff discipline including taking appropriate action in accordance with procedures (absence, grievance and disciplinary etc).

4.4 The overseeing of the appraisal procedure for all other staff to ensure appropriate targets are set and the staff team undertake continuous professional development training.

4.5 The maintenance and periodic review of terms and conditions of employment and job descriptions for all staff.

4.6 To ensure that appropriate regard is taken of the Health & Safety Act 1974 as amended.

4.7 To appoint temporary and permanent staff and implement salary and grading reviews, changes to responsibilities and job descriptions as considered necessary subject to any expenditure being within budget. (However, salary regrading outside of the agreed scale points to be confirmed and approved by the Staffing Committee).

~~Amenities & Facilities~~ Operations Committee

The ~~Asset Management & Amenities~~ Committee is responsible for matters relating to all Assets owned and/or managed by the Town Council. This includes the Town Hall, Assembly Hall, other property owned by the Town Council, Parks and Play Areas, Grounds Maintenance, Street Furniture, Public Toilets, and all Council Land/Allotments.

1. **Membership:** Seven elected Members.
   - 1.1 Invited officers relevant to the management of assets, who will have no voting rights.
   - 1.2 No business may be transacted at a meeting unless at least 50% of the whole number of members of the Committee, rounded up, are present.
   - 1.3 Substitution of Members- Substitutes should be nominated by the Member of the Committee planning to be absent and notified to the Proper Officer in writing by 3pm on the day of the meeting.

2. **Delegated Business:** The Committee has the following delegated powers:
   - 2.1 To consider and resolve issues relating to the administration and maintenance of the Town Hall, Assembly Hall and all other properties owned by the Town Council, all public owned spaces, play areas, allotments, and the closed Churchyard.
   - 2.2 To maintain existing bus shelters, street furniture, and CCTV equipment and consider provision of new items where necessary within approved budgets.
   - 2.3 To consider the process of redeveloping the Assembly Hall.
   - 2.4 To conclude the outstanding works at the King George V Playing Fields and provide updates.
   - 2.5 Review all budget lines and monthly accounts for all assets listed, managing relevant budget lines allocated and provide update reports.
   - 2.6 To approve expenditure within budget and to refer any requests for expenditure over budget to Full Council.
   - 2.7 Have oversight of the asset register and ensure it is regularly updated by the RFO.
   - 2.8 Have oversight of the fabric of the buildings and the use of the building and the business case for said use.
   - 2.9 To implement any works recommended in the Buildings Condition Surveys Reports.
   - 2.10 Setting of fees, terms and conditions of use, and provision of equipment for areas under its control.
   - 2.11 Liaison with community organisations which have an interest in recreational facilities in the town.
   - 2.12 Vehicles and equipment within the area of its responsibilities and not under the control of any other committee.

3. **Referred Business:** To consider and make recommendations to the Town Council on the following matters:
   - 3.1 Budget estimates, to be prepared no later than October each year and submitted to the RFO.
   - 3.2 Any other matters referred to the Committee by Full Council.
   - 3.3 Any other matters referred to the Committee by Council Working Groups for whom the Committee is the parent Committee.

Community ~~Development~~ Committee

The ~~Community Development~~ Committee will be responsible for matters relating to all events staged, managed or involved with in relation to the Town. This will involve the preparation and management of event planning and gaining relevant permissions required.

1. **Membership:** Seven elected Members.
   - 1.1 Invited officers and volunteers to enable events to be run, who have will have no voting rights.
   - 1.2 No business may be transacted at a meeting unless at least 50% of the whole number of members of the committee, rounded up, are present.
   - 1.3 Substitution of Members - Substitutes should be nominated by the Member of the Committee planning to be absent and notified to the Proper Officer in writing by 3pm on the day of the meeting.

2. **Delegated Business:** The Committee has been delegated to deal with the following matters on an ongoing basis or to conclusion:
   - 2.1 All community events;
   - 2.2 Community activities and engagement including the development of a community group network;
   - 2.3 Community Hub – virtual or physical;
   - 2.4 Public Arts Projects;
   - 2.5 South-West in Bloom and Melksham Gardening Competition;
   - 2.6 Marketing and Promotion;
   - 2.7 Civic Awards;
   - 2.8 Review all budget lines and monthly accounts for all events;
   - 2.9 To work with and support existing and new community groups, clubs, and centres.
   - 2.10 Allocation of grants within the agreed criteria and budget of the Town Council

3. **Referred Business:** To consider and make recommendations to the Town Council on the following matters:
   - 3.1 Budget estimates, to be prepared no later than September each year and submitted to the RFO;
   - 3.2 To approve expenditure within budget and to refer any requests for expenditure over budget to Full Council;
   - 3.3 To approve expenditure for projects allocated within Ear Marked Reserves.

Working Groups/Task & Finish Groups

~~Working~~ Groups set up by Full Council and other Committees.

1. **Membership**
   1.1 The chairman of any Committee setting up a Working Group/Task & Finish Group shall be a member of the ~~Working~~ Group. Any other members can be appointed and so can non-elected members of the public or any other representative from a properly constituted body.

2. **Delegated Business:** The ~~Working~~ Group has delegated authority to discuss and debate items as specified by the parent committee in a brief which should be minuted:
   2.1 No ~~Working~~ Group shall have powers to make decisions on policy or budget commitment;
   2.2 Recommendations shall be put before the relevant parent committee for ratification;
   2.3 Agendas shall be put together by ~~the Clerk's office~~ officers in conjunction with the Chairman.
   2.4 Meetings ~~of Working Groups~~ will not necessarily be open to the public, but all minutes will be available once adopted by the parent committee.
   2.5 Minutes ~~of the Working Groups~~ will be made available to all members and the general public on request. They will be prepared by ~~the Clerk's office~~ officers unless other arrangements have been made.
   2.6 The general Terms of Reference can be expanded for any ~~working~~ group if required to enable the completion of a project. Any additional Terms of Reference will be adopted by the parent committee.

Co-option Policy

1. All committees of Melksham Town Council, except for the Finance~~, Administration & Performance~~ Committee, can co-opt members who are not elected Councillors to assist with the work of their committee.

2. All members of the Finance~~, Administration & Performance~~ Committee must be members of the appointing Council.

3. The co-option of an individual is not to be confused with the filling of a casual vacancy on Full Council, which would only arise if an elected member should resign, die or be disqualified.

4. Co-option will not be politically led nor be a vehicle to enlist those parties not represented on Melksham Town Council.

5. Co-opted members appointed to a Committee of the Council will have the authority of the organisation they are representing, and this should be advised in writing to the ~~Clerk of the Council~~ CEO/Town Clerk if requested.

6. Co-opted members will be known as Advisors to the Committee.

7. Advisers can be appointed by a Committee in the event that additional expertise is required to make decisions or add knowledge that would be of benefit to the committee concerned.

8. Advisers will have no voting rights. There are exceptions to this rule, and non-members would have a vote in four cases. These four are the management of land, harbour functions if the council is a harbour authority, tourism functions and the management of a festival.

9. All members of a Committee will vote for an individual adviser to be appointed by way of a resolution~~ in~~